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NINTH ANNUAL REPORT ON THE WORK OF THE GEORGIA COURTS

Ninth Annual Report on the Work of the Georgia Courts

(July 1, 1981 to June 30, 1982)

March 1983

The Judicial Council of Georgia/
Administrative Office of the Courts

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The *Ninth Annual Report on the Work of the Georgia Courts* is published by the Judicial Council of Georgia/Administrative Office of the Courts in compliance with Georgia Laws 1973, p. 288, and by Order of the Supreme Court of Georgia dated June 12, 1978.

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Foreword

It is my pleasure to present our *Ninth Annual Report on the Work of the Georgia Courts* as required by Georgia Laws 1973, p. 288, and by Order of the Supreme Court of Georgia.

This year , we modified both the title and the format of the report to better emphasize systemic developments and recent improvements in the Georgia courts. We continue to include statistical summaries of the judicial work of the principal courts of record and the annual reports of several judicial agencies, including the Administrative Office of the Courts, the Council of Juvenile Court Judges and the Georgia Justice Courts Training Council.

During the year, several systemwide changes affecting the judiciary were enacted by the Georgia General Assembly. A new judicial article, approved as part of a resolution to adopt a revised state constitution, provided for certain changes in court structure and for subsequent statutory uniformity in judicial qualifications and jurisdiction. The new constitution also provides that each class of courts will have uniform court rules adopted by the Supreme Court with the advice and consent of the affected class of courts.

In other actions the 1982 legislature provided for the elimination of the fee system of compensation for all judges of limited jurisdiction courts and established a method of creating state-supported juvenile court judgeships with circuitwide authority. In addition, an annual training requirement for probate court judges was instituted.

Following an analysis of caseload data and other information from the state's four major trial courts, the Judicial Council of Georgia recommended to the General Assembly that additional superior court judgeships be created in four existing judicial circuits (Atlantic, Blue Ridge, Cobb and Gwinnett) and that a forty-fourth circuit (Rockdale Judicial Circuit) be established with an initial superior court judgeship. The General Assembly approved measures for the new circuit and all judgeships except Blue Ridge.

This past year, the agencies of the Judicial Council continued to discharge their legislatively mandated responsibilities. In addition to providing fiscal, research and communications services to the judicial branch, the Administrative Office of the Courts completed a major study of the average time taken to dispose of different types of cases in the superior courts. The study was the first to provide information on statewide average case-processing times and developed a methodology which can also be used to monitor the movement of cases through individual courts. The Institute of Continuing Judicial Education worked to accommodate increased attendance at educational seminars resulting from mandatory training requirements.

Additional changes regarding the state's other judicial agencies occurred in fiscal year 1982. For the first time since the creation of the Judicial Administrative Districts in 1976, a district administrative assistant was employed to staff the fourth judicial district. The review jurisdiction of the Superior Courts Sentence Review Panel was amended to exclude sentences set in misdemeanor cases and cases in which a life sentence has been imposed for murder.

We invite the reader to study this report for a closer look at the FY '82 activities of the Georgia judicial system. We welcome questions and comments on the work of the courts across the state as we respond to our legislative directive to develop and implement programs to improve the administration of justice in Georgia.

Joseph J. Gaines
Chairman
Judicial Council of Georgia

Members of the Judicial Council of Georgia (July 1, 1982 to June 30, 1983)

Judge Andrew J. Whalen, Jr.
Chairman
Judge Robert R. Cook
Vice chairman
Judge Jere F. White
Secretary-Treasurer
Judge Tom Cauthorn
Clerk Woodson Daniel
Judge Joel J. Fryer
Judge Joseph J. Gaines
Judge Ben A. Hodges
Judge George A. Horkan, Jr.
Judge Francis Houston
Judge Willis B. Hunt, Jr.
Judge Harry Johnson, Jr.
Judge Nick J. Lazaros
Judge Juanita D. Marsh
Justice Thomas O. Marshall
Judge Jon Payne
Judge Grady C. Pittard, Jr.
Judge J. Kelley Quillian
Bob Reinhardt, Esq.
J. Douglas Stewart, Esq.
Judge Coy H. Temples
Judge Hugh P. Thompson
Judge Curtis V. Tillman
Judge Edward D. Wheeler

The Courts of Georgia

Included as part of the Georgia judicial system are more than fifteen types of courts. The Supreme Court and the Court of Appeals, the highest appellate courts, are the only two courts funded entirely by the state. Along with the superior, probate and justice of the peace courts, their jurisdiction and judicial qualifications are determined by the Georgia Constitution.

The remaining courts have been created by statute and exercise limited or special jurisdiction either county-wide or locally. Courts authorized by their respective creating acts to exercise jurisdiction throughout the county include state courts, juvenile courts, county courts, civil courts, magistrate's courts and small claims courts. Locally established courts which retain jurisdiction to hear violations of local laws and ordinances are the recorder's courts, municipal courts, city courts and mayor's courts. (See Organizational Chart, page 5.)

Fiscal Year 1982

During the past year, the Georgia legislature approved a number of proposed measures affecting both individual courts and the judicial system as a whole. In a special session held in August and September of 1981, the General Assembly enacted a new state constitution, part of which involved a revision of the Judicial Article (Article VI), for submission to Georgia voters at the November, 1982, general election. At its regular session, January-March, 1982, the legislature passed numerous bills concerning almost all types of courts.

Judicial Revision

From 1977 through 1980, the Committee to Revise the Judicial Article of the Georgia Constitution spent more than 700 person-hours in meetings and public hearings on the topic of court revision. After the committee submitted its final draft in October, 1980, to the Select Committee on Constitutional Revision—whose members included top officials of the executive, judicial and legislative branches—it presented its changes to court-related groups and the public for their reaction. Following approval by the General Assembly, the way was prepared for the state's voters to accept or reject the new constitution (and Judicial Article) at the general election in November, 1982.

The new Judicial Article specifies several significant changes. It creates a unified court system with seven classes of courts: the Supreme Court, the Court of Appeals, the general jurisdiction superior courts; and four classes of limited and special jurisdiction courts: the state, probate, juvenile and magistrate courts. (All justice of the peace and small claims courts will be replaced by magistrate courts.) As a result, three existing types of statutory courts—state, juvenile and small claims courts—will become constitutional courts.

Under the proposed constitution, all classes of courts will have uniform rules of practice and procedure and uniform qualifications and discipline of judges within two years from the effective date of the new constitution. All classes of courts with the exception of probate courts will possess uniform jurisdiction. In addition, all classes of courts except juvenile and magistrate courts will have uniform selection and terms of judges.

The new Article VI also stipulates that superior courts could retain certain appellate jurisdiction, either alone or by circuit or district, if later provided by law. The various classes of courts will have uniform court rules and record-keeping rules adopted by the Supreme Court with the advice and consent of the council of the affected class of courts. Each council will be comprised of all judges of the courts of that class.

Another change which will occur in the judicial branch is that all justices of the Supreme Court and judges of the Court of Appeals, superior courts and state courts

will be elected on a nonpartisan basis. Justices of the Supreme Court and Court of Appeals judges will serve six-year terms, while judges of the superior and state courts will be elected to four-year terms. All other judges will continue to be selected in the manner and for the term provided on June 30, 1983, until otherwise provided by law.

Legislation Affecting the Courts

During its 1982 session, the General Assembly enacted legislation providing for a number of changes in the court system. It created four additional superior court judgeships, established a new judicial circuit and approved several measures concerning courts of limited jurisdiction. The legislature adopted a bill which eliminated the fee system of compensation for all judges of limited jurisdiction courts, and it approved a measure to establish a method of creating juvenile court judgeships of circuitwide authority. Two pieces of legislation regarding the training of probate court judges were also passed.

Three new superior court judgeships were created pursuant to the recommendation of the Judicial Council of Georgia to provide additional judicial manpower in the Atlantic, Cobb and Gwinnett judicial circuits. The fourth judgeship was provided for the newly created Rockdale Judicial Circuit, which was established following a study conducted by the Administrative Office of the Courts and the Judicial Council's expressed support for the judgeship. Legislative action concerning the judgeships and new circuit increased the total number of superior court judgeships in the state to 122 by January 1, 1983, and the number of judicial circuits to 44.

Additional measures affected certain limited jurisdiction courts in five counties. The legislature approved a fifth judgeship for the State Court of Cobb County and adopted a bill to abolish the state court located in Polk County. Two small claims courts—in Heard and Walker counties—were established, as well as the Magistrate's Court of Douglas County.

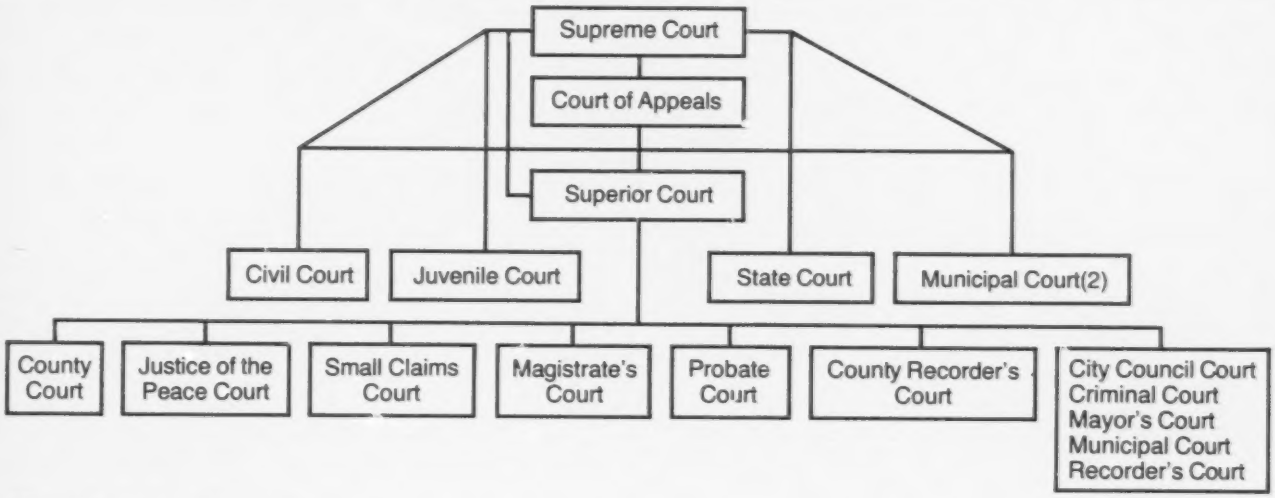
By passing the Courts of Limited Jurisdiction Compensation Act of 1982, the General Assembly eliminated the fee system of compensation for more than 500 Georgia judges. The act replaced fees with salaries to be determined by county governing authorities for small claims court judges, justices of the peace and other judges previously compensated wholly or partly by fees. An opinion subsequently issued by the state attorney general included probate judges collecting fees within the 'other judges' category. In addition, the act provided for the designation of full and part-time judgeships of limited jurisdiction courts on a county-by-county basis.

A compromise juvenile court measure was passed by the legislature to provide the superior court judges of a judicial circuit the option of appointing at least one juvenile court judge to exercise circuitwide jurisdiction after July 1, 1983. If such a judgeship is established, the juvenile court judge's salary will be set by the superior court judges of the circuit with the approval of the county governing authority. The state, out of funds appropriated to the judicial branch, will contribute a specific amount toward the judge's salary on a per circuit basis, and the remaining amount will be paid by the counties comprising the circuit. However, no state funds may be used for the salaries of juvenile court judges until the General Assembly has appropriated funds for that specific purpose. If a circuitwide judgeship is not formed, the existing separate juvenile court judgeships of the circuit are to continue as currently in effect unless terminated by the recommendations of two successive grand juries with the concurrence of the superior court judges. Superior court judges would continue to serve in counties where a separate juvenile court is not created.

Resulting from other legislative action in 1982 were a training requirement for probate court judges and the creation of the Executive Probate Judges Council, a state agency vested with the responsibility to work with the Institute of Continuing Judicial Education on the matter of educational development for probate judges and judges-elect. Similar to the recently enacted training requirement for superior court clerks, the act establishing initial and annual education courses for probate judges requires judges to become certified in order to receive credit for that year of service in determining eligibility for retirement. To provide for extenuating circumstances, judges are authorized to attend designated training the following year to compensate for any missed training.

Judicial workloads for Georgia's two appellate courts and four major trial courts for fiscal year 1982 (July 1, 1981—June 30, 1982) are shown on the following pages.

Georgia Judicial System Organizational Chart*



*By primary appellate routes.

Appellate Courts

Forming Georgia's primary appellate court structure are the Supreme Court and the Court of Appeals. The Supreme Court may hold sessions around the state, as it did twice in FY '82 by convening at the University of Georgia and Mercer University law schools, and the Court of Appeals holds court in Atlanta to decide appeals, review decisions and correct errors from the trial courts.

Supreme Court of Georgia

As the state's highest appellate court, the Supreme Court exercises no original jurisdiction. However, its appellate jurisdiction extends to those cases which involve (1) the construction of the constitution of the State of Georgia or the United States, or treaties between the United States and foreign governments; (2) the constitutionality of any law of the State of Georgia or of the United States: (3) title to land; (4) equity; (5) the validity of or construction of wills: (6) the conviction of a capital felony; (7) habeas corpus; (8) extraordinary remedies; (9) divorce and alimony; and (10) questions certified by the Court of Appeals.

Appeals from superior courts, state courts, juvenile courts and courts of similar jurisdiction are heard by the Supreme Court. It also considers cases on certiorari and cases transferred from the Court of Appeals. The Supreme Court retains the inherent power to make orders that are necessary to preserve its jurisdiction, such as granting *supersedeas* and giving direction to trial courts.

By Supreme Court Order, four state judicial agencies are attached to the court as administrative divisions. They include the Institute of Continuing Judicial Education, the Judicial Council/Administrative Office of the Courts, the Judicial Qualifications Commission and the State Bar of Georgia. A representative of the court serves in a liaison capacity with the Institute for purposes of communication, and the court assigns a representative to serve on the Judicial Council. The Supreme Court prescribes the duties of the Judicial Qualifications Commission and reviews the Commission's findings to accept or reject its conclusions and recommendations. In its role with the State Bar, the court approves certain practices and oversees different procedures as specified in the Rules of the State Bar.

In FY '82 the Supreme Court passed a third order amending its order of February 6, 1980, which had restructured the Judicial Council. The new order, dated December 14, 1981, allowed all members of the Council voting rights, with the exception of the Supreme Court representative. The superior court clerk, justice of the peace and judge of the limited jurisdiction courts were authorized to vote to provide effective representation of all judicial bodies that are part of the Judicial Council.

The Supreme Court has seven justices who are elected to staggered, six-year terms. A chief justice and a presiding justice are elected by the seven members of the court. The chief justice serves as the spokesman for the court and presides at oral arguments and court conferences, and the presiding justice acts in the chief justice's absence and perforns other duties as assigned.

A summary of the Supreme Court's caseload for administrative court years (September 1—August 31) 1982 and 1981 is given below. The table compares filings and dispositions by type for the two years.

Court of Appeals of Georgia

The Court of Appeals has nine judges and is divided into three panels of three judges each. Under the court's rules, the judges elect a chief judge who then appoints judges to preside over each of the three divisions. Any decision rendered by a division is final unless a single judge dissents, whereupon the case is considered by all nine judges. When there is an equal division of judges hearing a case *en banc*, the case is transferred to the Supreme Court.

Where exclusive jurisdiction is not conferred upon the Supreme Court, the Court of Appeals is authorized to correct errors in cases on appeal from the same trial courts which may appeal to the Supreme Court. Such cases include claims for damages, criminal cases other than capital felonies and cases involving workmen's compensation and insurance claims.

Court of Appeals judges are elected to staggered, six-year terms of office in statewide elections. The court holds three terms of court per year, beginning in September, January and April.

A comparison of the court's caseload for fiscal years 1982 and 1981 is presented below.

Supreme Court Caseload: 1982 and 1981

Filed		
Case Type	1982	1981
Direct Appeals	647	564
Certiorari	467	516
Habeas Corpus	195	167
Discretionary Appeals	178	181
Interlocutory Appeals	55	74
Summary Judgment	24	31
Certified Judgment	8	5
Total	1,574	1,538

Disposed		
Disposition Method	1982	1981
Opinions Written	433	509
Decided Without Opinion (Rule 59)	101	76
Certiorari	446	492
Granted	64	76
Denied	382	416
Habeas Corpus	164	132
Granted	39	17
Denied	125	115
Interlocutory Appeals	42	58
Granted	23	28
Denied	19	30
Discretionary Appeals	158	163
Granted	49	68
Denied	109	95
Lack of Jurisdiction; Transferred to Court of Appeals Without Opinion	9	84
Other	43	100
Motions for Rehearing	149	157
Motions for Reconsideration	78	67
Total	1,623	1,838

Court of Appeals Caseload: 1982 and 1981

	1982	1981
Cases Docketed	2,152	2,086
Interlocutory Appeals	288	291
Discretionary Appeals	208	165
Cases Withdrawn	139	133
Cases Transferred to Supreme Court	88	104
Cases Dismissed by Order (without opinion)	65	61
Cases Stricken from Docket and Returned to Lower Court	9	15
Supersedeas Bonds	15	
Granted	6	
Denied	9	
Cases Affirmed by Order	4	
Opinions Written	1,618	1,664

Superior Courts

The superior court is Georgia's court of general jurisdiction and its major court of record. Although each of the state's 159 counties has a superior court, judicial circuits (groups of counties) form the basis of superior court organization, and they vary in size and population, as well as in the number of judges serving each circuit. From one to eight counties comprise the circuits, with the single-county circuits located in the several metropolitan areas. The number of superior court judges per circuit ranges from one judge in each of two circuits to eleven judges in the Atlanta Judicial Circuit. As of June 30, 1982, there were 116 judges in the state's 42 circuits.

For purposes of administration, the judicial circuits are organized into ten judicial administrative districts drawn to correspond closely with Georgia's ten U.S. congressional districts. The superior court judges of each district elect one among them to serve as administrative judge.

Superior court judges are elected by the voters of each circuit to four-year terms, except in the Atlanta Judicial Circuit where the term is eight years. In some cases, the governor may fill vacancies and new judgeships by appointment.

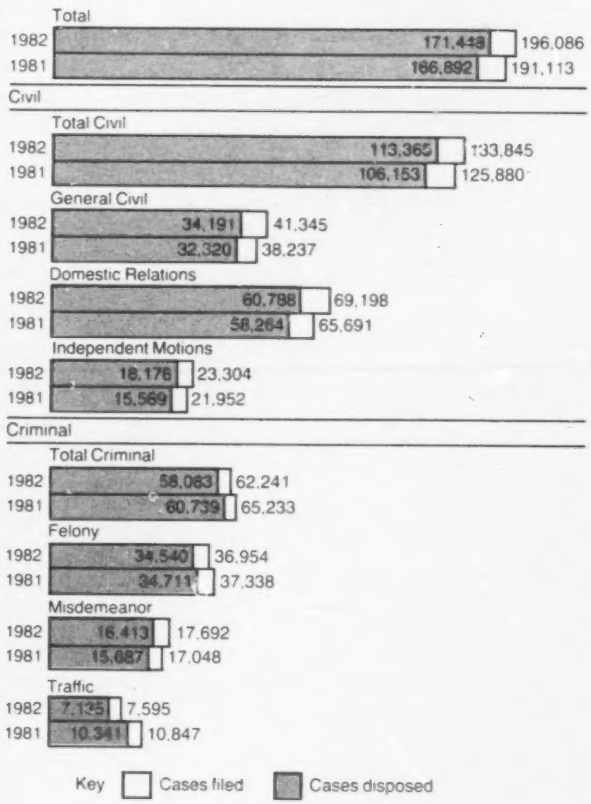
The Georgia Constitution grants superior courts exclusive jurisdiction in cases of divorce, cases involving equity and land titles and felony cases. The superior court in any circuit has concurrent jurisdiction with the limited jurisdiction trial courts in the counties that comprise the circuit except for some juvenile and probate matters. It is also authorized to correct errors made by lower courts by issuing writs of certiorari. For some courts, the right to direct review by the superior court applies.

During the past year, four new superior court judgeships, which were provided by the 1981 Georgia General Assembly and filled by gubernatorial appointment, took effect. The new superior court judges for the Southwestern, Toombs and Waycross judicial circuits took office on July 1, 1981, while the judge for the Macon Judicial Circuit began his term on October 1, 1981.

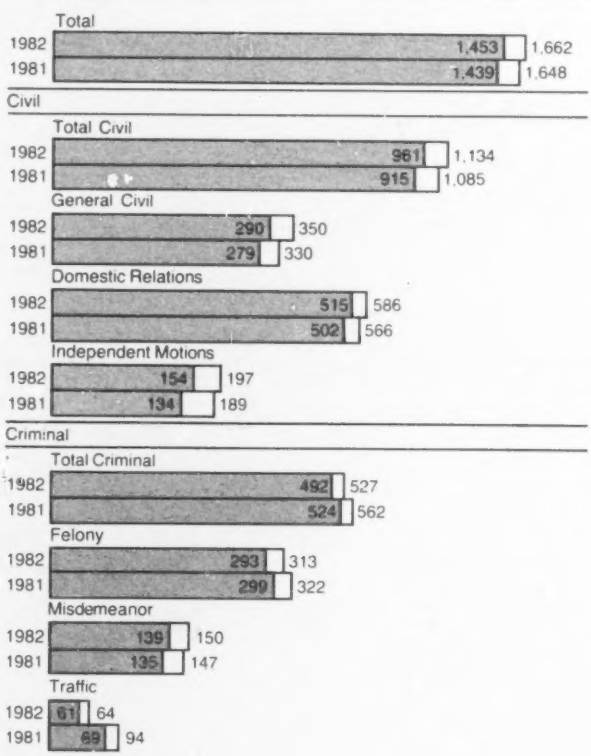
The 1982 legislature created four additional superior court judgeships which become effective during FY '83. Along with the four judgeships—in the Atlantic, Cobb, Gwinnett and newly created Rockdale judicial circuits—other judgeships established in the past two years will take effect. On January 1, 1983, one judgeship will be added to the Conasauga Judicial Circuit, and the recently created Douglas Judicial Circuit will become operational with two superior court judgeships. (A second judgeship for the Douglas Judicial Circuit was created in 1981 subsequent to the creation of the circuit itself. The initial judgeship was transferred from the Tallapoosa Judicial Circuit, of which Douglas County was a part.)

Caseload data for the superior courts is presented below. The first chart compares criminal and civil case filings and dispositions by six case types for fiscal years 1982 and 1981, as well as total filings and dispositions for the two years. The second chart gives the same information in terms of caseload per judge. The table on pages 10 and 11 presents FY '82 total superior court caseload by circuit and case type.

Total Superior Court Caseload: FY 1982 and FY 1981
(Docket Entries)



Average Caseload Per Superior Court Judge: FY 1982* and FY 1981**
(Docket Entries)



*Based on 118 superior court judges.
**Based on 116 superior court judges.

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FY 1982 Superior Court Caseload (Docket Entries)

	Felony		Misdemeanor		Traffic		Total Criminal	
Circuit	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Alapaha	749	695	1,650	1,414	1,414	1,294	3,813	3,403
Alcovy	580	478	880	632	54	49	1,514	1,159
Atlanta	5,669	5,457	33	20	0	0	5,702	5,477
Atlantic	503	449	82	102	236	237	821	788
Augusta	993	972	111	153	14	26	1,118	1,151
Blue Ridge	767	638	704	613	664	553	2,135	1,804
Brunswick	760	616	179	132	401	401	1,340	1,149
Chattahoochee	2,046	1,964	351	297	262	192	2,659	2,453
Cherokee	784	602	881	686	132	111	1,797	1,399
Clayton	1,164	913	20	19	11	9	1,195	941
Cobb	1,620	1,435	60	55	24	21	1,704	1,511
Conasauga	661	552	512	408	249	132	1,422	1,092
Cordele	437	468	636	665	15	17	1,088	1,153
Coweta	973	952	204	196	31	39	1,208	1,187
Dougherty	828	744	0	0	0	0	828	744
Dublin	355	383	619	644	2	5	976	1,032
Eastern	1,474	1,560	52	119	153	158	1,679	1,837
Flint	461	347	405	312	41	34	907	693
Griffin	790	682	517	511	250	244	1,557	1,437
Gwinnett	749	623	6	6	8	5	763	634
Houston	371	334	7	5	0	0	378	339
Lookout Mountain	840	785	1,333	1,273	250	260	2,423	2,318
Macon	1,363	1,252	165	157	19	21	1,547	1,430
Middle	524	447	6	5	1	1	531	453
Mountain	311	240	241	220	89	78	641	538
Northeastern	710	684	484	572	591	694	1,785	1,950
Northern	333	334	733	663	48	61	1,114	1,058
Ocmulgee	1,110	1,100	845	821	43	42	1,998	1,963
Oconee	388	390	791	769	68	56	1,247	1,215
Ogeechee	489	430	14	22	1	1	504	453
Pataula	500	421	430	394	103	84	1,033	899
Piedmont	321	281	392	362	492	472	1,205	1,115
Rome	382	418	1,340	1,250	64	56	1,786	1,724
South Georgia	865	783	110	94	55	54	1,030	931
Southern	939	910	161	157	0	0	1,100	1,067
Southwestern	383	338	201	178	10	7	594	523
Stone Mountain	2,170	2,443	325	362	36	23	2,531	2,828
Tallapoosa	687	585	762	655	366	328	1,815	1,563
Tifton	399	261	289	357	9	4	697	622
Toombs	330	334	942	901	1,305	1,293	2,577	2,528
Waycross	490	506	174	160	70	64	734	730
Western	686	734	45	49	14	9	745	792
TOTAL	36,954	34,540	17,692	16,413	7,595	7,135	62,241	58,083
Average per Judge*	313	293	150	139	64	61	527	492

*Based on 118 superior court judges.

General Civil		Domestic Relations		Independent Motions		Total Civil		Total Caseload	
Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
485	342	526	456	307	204	1,318	1,002	5,131	4,405
673	516	787	637	617	483	2,077	1,636	3,591	2,795
4,559	4,589	6,252	6,283	1,079	2,144	11,890	13,016	17,592	18,493
872	895	1,365	1,331	281	240	2,518	2,466	3,339	3,254
996	893	3,502	2,831	885	608	5,383	4,332	6,501	5,483
656	519	1,331	1,257	411	378	2,398	2,154	4,533	3,958
1,241	1,230	2,115	2,076	389	362	3,745	3,668	5,085	4,817
1,109	575	3,283	2,082	644	292	5,036	2,949	7,695	5,402
901	631	1,010	852	801	560	2,712	2,043	4,509	3,442
742	742	2,286	2,221	255	216	3,283	3,179	4,478	4,120
1,152	756	4,512	4,030	1,354	1,038	7,018	5,824	8,722	7,335
892	1,001	1,784	1,322	734	575	3,410	2,898	4,832	3,990
685	518	952	770	421	288	2,058	1,576	3,146	2,729
1,398	1,035	1,908	1,617	974	607	4,280	3,259	5,488	4,446
551	398	1,403	1,173	339	223	2,293	1,794	3,121	2,538
796	518	615	464	426	299	1,837	1,281	2,813	2,313
1,086	717	2,642	2,428	488	269	4,216	3,414	5,895	5,251
1,023	886	830	693	485	391	2,338	1,970	3,245	2,663
753	566	1,452	1,363	648	463	2,853	2,392	4,410	3,829
558	416	2,183	2,066	998	1,029	3,739	3,511	4,502	4,145
316	266	1,030	875	348	281	1,694	1,422	2,072	1,761
1,026	1,077	1,569	1,672	702	584	3,297	3,333	5,720	5,651
827	674	2,427	2,021	661	549	3,915	3,244	5,462	4,674
756	555	1,143	800	494	235	2,393	1,590	2,924	2,043
492	405	749	691	276	260	1,517	1,356	2,158	1,894
990	924	1,150	1,083	469	475	2,609	2,482	4,394	4,432
705	540	754	630	297	240	1,756	1,410	2,870	2,468
1,316	1,031	1,301	1,025	1,036	552	3,653	2,608	5,651	4,571
689	589	732	568	325	159	1,746	1,316	2,993	2,531
649	506	861	736	175	113	1,685	1,355	2,189	1,808
560	449	705	486	331	232	1,596	1,167	2,629	2,066
543	457	770	597	350	273	1,663	1,327	2,868	2,442
991	702	842	681	768	527	2,601	1,910	4,387	3,634
706	650	696	692	382	282	1,784	1,624	2,814	2,555
1,117	868	1,707	1,528	730	414	3,554	2,810	4,654	3,877
780	779	737	640	307	213	1,824	1,632	2,413	2,155
2,916	2,171	5,847	5,385	834	499	9,597	8,055	12,128	10,883
2,172	1,646	1,593	1,281	937	741	4,702	3,668	6,517	5,231
594	416	1,004	834	482	241	2,080	1,491	2,777	2,113
358	292	542	452	246	220	1,146	964	3,723	3,492
1,018	889	1,330	1,440	252	176	2,600	2,505	3,334	3,235
694	605	971	819	366	308	2,031	1,732	2,776	2,524
41,345	34,191	69,198	60,788	23,304	18,176	133,845	113,365	196,086	171,448
350	290	586	515	197	154	1,134	961	1,662	1,453

State Courts

State courts were established as a general class of county-funded, limited jurisdiction courts in 1970 when the state legislature designated certain existing courts with county-wide jurisdiction as state courts. A number of other courts which possessed some similar characteristics were excluded from the designation, but have continued to operate as special courts. These 'special courts' include the civil courts of Bibb and Richmond counties and the county courts located in Baldwin, Echols and Putnam counties.

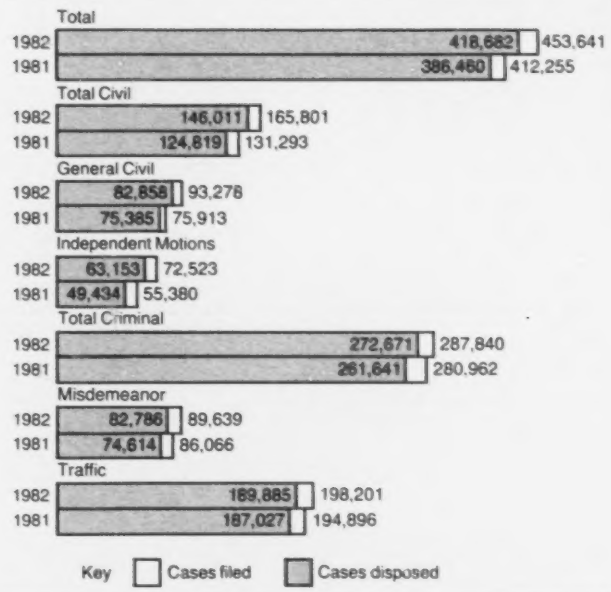
Seventy-seven judges currently preside in Georgia's 60 state courts, one of which is a multi-county court serving Cherokee and Forsyth counties. Twenty-nine judges are full-time judges, while the other 48 serve part-time and are permitted to practice law in courts other than their own. Most state court judges are elected by the voters of their respective counties for terms of four years.

Since state courts have been individually created by statute, their jurisdictions vary. Generally, state courts retain jurisdiction in civil and criminal cases in which exclusive jurisdiction is not vested in the superior courts.

State court civil jurisdiction extends to most civil cases including contract and tort cases, except tort actions where the court's creating act or subsequent statutory amendments limited or excluded certain jurisdiction. State courts have criminal jurisdiction over all misdemeanor cases in the county and are authorized to hold criminal commitment hearings.

Presented at left is a comparison of total state court caseload by case type for fiscal years 1982 and 1981. FY '82 filings and dispositions by county are listed in the table at right.

Total State Court Caseload: FY 1982 and FY 1981*
(Docket Entries)



*FY 1981 figures do not include data for the State Court of DeKalb County.

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FY 1982 State Court Caseload (Docket Entries)

	Misdemeanor		Traffic		General Civil		Independent Motions		Total	
County	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Appling	188	190	564	583	35	16	14	5	801	794
Baldwin*	1,531	1,533	2,201	2,209	0	0	0	0	3,732	3,742
Bibb	3,575	3,300	3,499	3,158	740	773	237	203	8,051	7,434
Bryan	206	206	2,355	2,355	43	63	13	13	2,617	2,637
Bulloch	1,031	907	1,726	1,425	84	68	77	19	2,918	2,419
Burke	474	474	2,202	2,202	83	68	94	87	2,853	2,831
Candler	105	61	2,277	1,718	12	14	13	3	2,407	1,796
Carroll	1,611	1,105	3,663	2,968	699	499	111	53	6,084	4,625
Chatham	2,294	2,193	2,646	2,137	2,999	2,401	2,518	916	10,457	7,647
Cherokee/ Forsyth	1,416	1,494	3,382	3,324	690	594	139	199	5,627	5,611
Clarke	303	368	731	647	173	182	74	81	1,281	1,278
Clayton	4,199	3,759	11,640	11,092	3,660	3,478	1,306	902	20,805	19,231
Clinch	195	195	934	934	12	9	0	2	1,141	1,140
Cobb	7,775	7,204	32,238	31,225	9,266	7,360	2,811	1,675	52,090	47,464
Coffee	351	332	1,030	755	72	89	34	70	1,487	1,246
Colquitt	963	850	1,463	1,532	53	41	31	8	2,510	2,431
Coweta	1,438	1,146	4,144	4,033	303	262	88	42	5,973	5,483
Decatur	846	813	1,406	1,405	36	25	32	11	2,320	2,254
DeKalb	6,367	5,861	4,804	3,879	13,582	10,476	11,906	11,110	36,659	31,326
Dougherty	4,030	3,683	4,018	3,982	1,693	1,759	3,201	1,745	12,942	11,169
Early	410	399	608	608	29	33	6	8	1,053	1,048
Echols*	18	18	212	212	0	0	0	0	230	230
Effingham	192	227	1,347	1,460	74	76	12	11	1,625	1,774
Elbert	231	222	726	832	17	15	0	0	974	1,069
Emanuel	353	350	1,391	1,399	354	156	58	32	2,156	1,937
Evans	132	132	559	559	9	6	13	8	713	705
Forsyth	853	866	2,857	2,796	412	390	90	43	4,212	4,095
Fulton	11,328	11,607	20,873	20,829	48,673	45,973	45,299	40,793	126,173	119,202
Glynn	1,487	1,745	6,734	6,636	992	993	1,042	994	10,255	10,368
Grady	440	442	1,298	1,238	33	35	30	13	1,801	1,728
Gwinnett	3,381	2,940	626	528	3,237	3,140	1,258	3,174	8,502	9,782
Habersham	681	712	781	851	80	80	26	12	1,568	1,655
Hall	3,138	2,945	6,323	6,027	853	862	364	253	10,678	10,087
Houston	1,918	1,565	4,011	3,799	827	516	508	155	7,264	6,035
Jackson	547	519	4,977	4,711	178	130	78	42	5,780	5,402
Jefferson	538	536	2,242	2,233	53	41	21	3	2,854	2,813
Jenkins	176	132	476	470	141	111	9	5	802	718
Johnson	23	9	165	123	25	20	13	6	226	158
Liberty	1,337	1,303	6,545	6,592	72	44	26	4	7,980	7,943
Long	31	31	535	535	8	4	3	1	577	571
Lowndes	1,822	1,924	8,459	8,117	227	217	55	23	10,563	10,281
Macon	229	210	423	581	33	31	24	9	709	831
Miller	284	263	809	762	26	26	17	10	1,136	1,061
Mitchell	480	418	1,320	1,280	9	7	6	4	1,815	1,709
Muscogee	2,764	2,441	3,720	3,172	751	261	75	5	7,310	5,879
Pierce	190	191	765	733	36	36	12	17	1,003	977
Polk	344	213	840	748	242	219	100	72	1,526	1,252
Putnam*	431	412	897	880	0	0	0	0	1,328	1,292

FY 1982 State Court Caseload—continued

	Misdemeanor		Traffic		General Civil		Independent Motions		Total	
County	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Richmond	7,141	5,431	8,494	7,709	400	263	142	69	16,177	13,472
Screven	342	251	976	931	54	43	0	0	1,372	1,225
Spalding	891	919	2,100	2,050	102	59	29	12	3,122	3,040
Stephens	399	383	650	638	40	43	7	3	1,096	1,067
Sumter	1,301	1,236	822	820	106	102	49	34	2,278	2,192
Tattnall	162	180	1,491	1,518	39	33	13	10	1,705	1,741
Thomas	868	787	2,415	2,134	56	22	19	11	3,358	2,954
Tift	1,125	588	2,445	2,264	248	198	180	46	3,998	3,096
Toombs	690	507	1,126	1,007	53	37	19	3	1,888	1,554
Treutlen	247	247	1,221	1,148	30	14	6	2	1,504	1,411
Troup	1,338	1,259	3,473	3,417	236	169	112	44	5,159	4,889
Walker	547	849	1,717	2,386	33	21	25	18	2,322	3,274
Ware	927	774	2,198	2,021	127	116	48	40	3,300	2,951
Washington	679	671	996	975	28	15	8	1	1,711	1,662
Wayne	326	258	635	593	50	96	6	11	1,017	958
Worth**	-	-	-	-	50	28	16	8	66	36
TOTAL	89,639	82,786	198,201	189,885	93,278	82,858	72,523	63,153	453,641	418,682

*County courts.
**A fire destroyed the state court's criminal dockets in January, 1982.

Probate Courts

Known as the Court of Ordinary until 1974 when its name was changed by an amendment to the state constitution, the probate court is one of the oldest courts in Georgia. There is a probate court located in each of the state's 159 counties, and it is presided over by a probate judge, who is elected by the voters of each county to a term of four years.

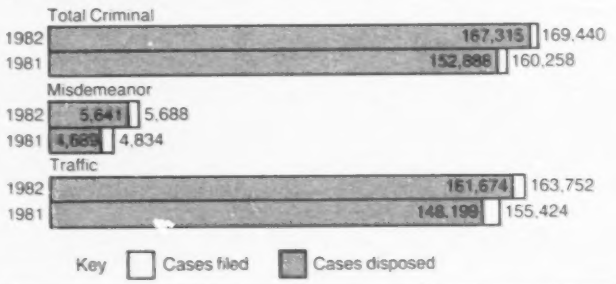
Duties granted to the probate judge include both judicial and ministerial functions. The probate court exercises jurisdiction in the probate of wills, administration of estates, appointment of guardians and involuntary hospitalization of incapacitated adults and other dependent individuals. Probate judges are also authorized to issue marriage licenses, pistol permits and delayed birth certificates. Other duties may include holding habeas corpus hearings, supervising elections or hearing cases under the Compulsory School Attendance Act.

Probate courts may exercise jurisdiction in certain misdemeanor cases. There are 94 probate courts located in counties without a state or county court which hear traffic cases and try violations of state game and fish laws.

During the past year, probate courts were granted the authority to carry out additional duties (effective November 1, 1982) as assigned by specific laws. In relation to this authority, the General Assembly enacted a new law authorizing probate courts to hold courts of inquiry.

A comparison of total criminal caseload by case type for those probate courts exercising criminal jurisdiction is presented at right for fiscal years 1982 and 1981. The tables on page 16-19 list the FY '82 criminal caseload by county and the FY '82 civil caseload of 102 probate courts for which data was submitted.

Total Probate Court Criminal Caseload:
FY 1982 and FY 1981
(Docket Entries)



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FY 1982 Probate Court Criminal Caseload (Docket Entries)

	Misdemeanor		Traffic		Total	
County	Filed	Disposed	Filed	Disposed	Filed	Disposed
Bacon	44	44	420	420	464	464
Baker	22	22	605	605	627	627
Banks	20	21	1,974	1,751	1,994	1,772
Barrow	0	0	738	716	738	716
Bartow	141	194	5,070	5,065	5,211	5,259
Ben Hill	28	30	623	625	651	655
Berrien	67	67	1,045	1,045	1,112	1,112
Bleckley	13	13	586	586	599	599
Brantley	85	80	1,446	1,511	1,531	1,591
Brooks	41	41	1,122	1,122	1,163	1,163
Butts	101	101	3,401	3,065	3,502	3,166
Calhoun	55	52	341	316	396	368
Camden	0	0	4,926	4,399	4,926	4,399
Catoosa	0	0	6,358	6,183	6,358	6,183
Charlton	0	0	517	519	517	519
Chattahoochee	31	31	429	405	460	436
Chattooga	40	38	1,980	1,921	2,020	1,959
Clay	178	176	281	282	459	458
Columbia	251	226	3,658	3,238	3,909	3,464
Cook	0	0	3,021	3,021	3,021	3,021
Crawford	0	0	2,714	1,997	2,714	1,997
Crisp	32	32	2,841	2,802	2,873	2,834
Dade	22	19	1,353	1,292	1,375	1,311
Dawson	79	79	840	810	919	889
Dodge	49	49	544	544	593	593
Dooly	108	105	1,682	1,617	1,790	1,722
Douglas	63	55	4,264	4,336	4,327	4,391
Fannin	99	100	568	525	667	625
Fayette	77	80	1,770	1,965	1,847	2,045
Floyd	108	93	3,393	3,232	3,501	3,325
Franklin	60	57	4,500	4,360	4,560	4,417
Gilmer	0	0	327	327	327	327
Glascock	36	27	91	66	127	93
Gordon	39	41	3,386	3,308	3,425	3,349
Greene	74	53	2,070	1,949	2,144	2,002
Hancock	20	25	200	217	220	242
Haralson	8	6	2,420	2,331	2,428	2,337
Harris	74	74	2,037	2,037	2,111	2,111
Hart	56	68	248	261	304	329
Heard	61	79	708	809	769	888
Henry	120	120	6,409	6,081	6,529	6,201
Irwin	49	49	588	588	637	637
Jasper	107	86	1,684	1,651	1,791	1,737
Jeff Davis	170	170	700	700	870	870
Jones	259	242	1,602	1,574	1,861	1,816
Lamar	1	1	1,843	1,798	1,844	1,799
Lanier	0	0	340	340	340	340
Laurens	0	0	3,925	3,557	3,925	3,557

FY 1982 Probate Court Criminal Caseload—continued

	Misdemeanor		Traffic		Total	
County	Filed	Disposed	Filed	Disposed	Filed	Disposed
Lee	74	70	860	814	934	884
Lincoln	101	106	354	400	455	506
Lumpkin	71	71	813	793	884	864
Madison	60	75	902	923	962	998
Marion	21	21	1,153	1,153	1,174	1,174
McDuffie	51	56	2,866	3,040	2,917	3,096
McIntosh	0	0	3,663	3,282	3,663	3,282
Meriwether	58	61	1,777	2,126	1,835	2,187
Monroe	139	197	12,729	15,630	12,868	15,827
Montgomery	0	0	506	497	506	497
Morgan	12	12	3,293	3,074	3,305	3,086
Murray	237	246	1,685	1,740	1,922	1,986
Newton	80	83	2,338	2,392	2,418	2,475
Oconee	45	37	1,447	1,391	1,492	1,428
Oglethorpe	80	81	711	720	791	801
Paulding	9	8	1,459	1,381	1,468	1,389
Peach	23	21	1,547	1,291	1,570	1,312
Pickens	14	14	768	717	782	731
Pike	30	30	1,058	1,074	1,088	1,104
Pulaski	13	13	462	447	475	460
Quitman	137	135	232	232	369	367
Rabun	31	33	248	265	279	298
Randolph	40	40	959	959	999	999
Rockdale	11	9	4,630	4,642	4,641	4,651
Schley	6	6	118	106	124	112
Seminole	54	54	937	937	991	991
Stewart	50	44	419	370	469	414
Talbot	133	127	2,265	2,203	2,398	2,330
Taliaferro	39	39	684	514	723	553
Taylor	0	0	1,165	912	1,165	912
Telfair	141	135	948	946	1,089	1,081
Terrell	183	128	6	4	189	132
Towns	1	1	404	404	405	405
Turner	0	0	2,393	2,393	2,393	2,393
Twiggs	137	131	900	900	1,037	1,031
Union	27	27	327	327	354	354
Upson	63	66	4,050	4,134	4,113	4,200
Walton	121	121	2,791	2,715	2,912	2,836
Warren	22	18	375	372	397	390
Webster	3	3	171	149	174	152
Wheeler	81	81	626	623	707	704
White	7	7	639	609	646	616
Whitfield	169	165	4,563	4,262	4,732	4,427
Wilcox	57	54	544	531	601	585
Wilkes	61	64	878	929	939	993
Wilkinson	108	105	501	482	609	587
TOTAL	5,688	5,641	163,752	161,674	169,440	167,315

FY 1982 Probate Court Civil Caseload

County	Letters of Administration	No Administration Necessary	Common Probate	Solemn Probate	Guardianship	12 Months Support	Inv. Hospt. Cont. Hosp.	Habeas Corpus	Marriage Licenses	Pistol Licenses
Appling	16	10	0	31	11	5	39	0	287	124
Atkinson[1]	12	3	3	15	8	4	0	0	90	48
Bacon	15	10	0	20	5	2	20	0	133	72
Banks	6	0	0	19	7	3	0	0	66	46
Barrow	14	17	1	50	16	2	0	0	209	153
Bartow	28	8	5	86	27	8	86	0	415	327
Ben Hill	9	6	6	43	4	0	0	0	184	121
Bibb	81	25	29	379	46	26	131	0	1,653	1,067
Bleckley	6	2	3	17	3	3	0	0	72	91
Bryan	18	2	1	17	12	2	0	0	115	142
Butts	14	2	7	22	5	3	0	0	101	119
Candler	3	4	3	26	20	0	0	0	81	77
Chatham	125	103	10	449	200	90	150	5	2,008	0
Cherokee[2]	26	14	0	78	21	9	10	0	510	477
Clarke	32	22	15	133	49	8	90	0	816	273
Clay	2	0	1	10	1	1	0	0	25	27
Clinch	6	2	1	13	4	0	0	0	74	29
Cobb	120	50	10	524	286	84	145	8	4,296	2,320
Coffee	18	14	3	53	20	2	0	1	365	192
Columbia	15	15	3	57	30	26	25	0	292	359
Cook	17	3	0	23	13	2	23	1	152	81
Coweta	29	8	5	102	44	33	52	0	416	237
Dade	6	1	2	24	6	0	0	0	1,973	65
Dawson	3	1	0	10	2	0	2	0	33	58
DeKalb	764	144	200	1,223	564	274	286	3	5,685	4,327
Dodge	9	4	2	35	6	5	5	0	172	75
Effingham	12	3	4	29	6	11	23	0	151	156
Emanuel	25	18	4	37	20	3	53	0	230	194
Evans	4	0	0	14	4	0	0	0	86	52
Fayette	13	5	4	68	15	6	5	0	305	381
Floyd	43	21	9	225	45	8	136	0	858	492
Fulton	289	302	249	1,225	720	157	34	0	6,823	4,520
Glascock	2	3	4	8	3	2	0	0	10	12
Gordon	20	5	3	60	17	3	2	1	287	169
Grady[3]	16	14	2	45	13	5	52	0	184	46
Greene	3	1	7	31	3	2	2	0	75	64
Gwinnett	64	16	10	239	98	47	66	0	1,900	1,353
Hall	30	16	10	152	36	14	38	0	844	504
Hancock	1	0	3	16	0	0	0	0	52	8
Haralson	17	2	2	44	2	9	48	0	255	225
Harris[4]	10	4	6	40	8	4	0	0	148	116
Hart[5]	14	5	0	64	5	7	17	0	125	66
Heard	30	0	1	43	3	3	4	0	54	95
Henry	13	13	7	77	29	7	0	0	370	368
Houston	34	16	3	151	67	6	0	0	1,682	517
Irwin	4	4	0	29	13	1	0	24[6]	91	86
Jasper	3	3	4	11	2	0	0	0	65	70
Jenkins	10	4	2	23	7	2	10	0	72	75
Johnson	40	8	6	61	11	4	6	0	80	71
Jones	4	5	5	25	20	3	23	0	167	233
Lamar	4	5	2	35	6	6	0	0	109	101
Laurens	23	10	5	58	21	10	30	0	429	230
Lee	2	4	1	18	3	1	6	0	105	108
Long	3	2	0	10	2	1	8	0	88	33

FY 1982 Probate Court Civil Caseload—continued

County	Letters of Administration	No Administration Necessary	Common Probate	Solemn Probate	Guardianship	12 Months Support	Inv. Hospt. Cont. Hosp.	Habeas Corpus	Marriage Licenses	Pistol Licenses
Lowndes	20	20	10	96	28	20	0	0	1,412	443
Lumpkin	3	4	0	21	4	4	6	0	104	106
Madison	8	6	3	35	4	6	12	0	162	104
Marion	7	0	0	11	1	2	0	0	69	56
McDuffie	14	5	2	45	6	4	24	1	122	141
McIntosh	16	4	7	6	10	2	6	0	75	82
Miller	8	8	0	20	5	4	10	0	55	50
Mitchell	21	4	0	29	9	4	0	0	192	100
Murray	24	12	0	54	20	10	10	0	340	101
Newton[7]	11	11	7	74	24	10	36	0	373	227
Paulding	29	9	0	40	15	16	43	0	306	200
Peach	25	5	5	40	6	3	38	0	170	112
Pickens	20	5	3	30	3	5	30	0	110	110
Pike	10	6	1	33	4	3	12	0	79	73
Polk	39	34	15	95	25	56	0	0	426	267
Putnam[8]	11	3	2	31	5	3	6	0	108	52
Quitman	5	1	0	10	0	0	4	0	18	11
Rabun	7	6	4	22	12	2	12	0	78	100
Randolph[9]	7	2	1	22	3	2	0	0	92	60
Richmond[10]	119	55	63	258	103	163	65	0	1,677	1,174
Schley	5	4	0	7	1	0	5	0	33	2
Screven	15	7	3	34	3	2	0	0	84	81
Seminole	14	1	10	52	9	5	45	0	150	192
Spalding	33	39	6	141	17	23	150	4	571	373
Stewart	7	0	0	7	2	1	0	0	0	46
Sumter	15	5	5	75	5	5	0	0	300	225
Taylor	19	0	4	15	2	0	8	0	62	37
Terrell[11]	7	1	1	29	2	0	0	0	93	172
Thomas	17	4	7	82	37	7	190	0	562	172
Tift	15	5	4	59	10	1	12	0	409	164
Toombs	20	8	2	45	11	11	42	0	288	166
Treutlen	4	6	2	6	2	4	0	0	54	13
Troup	31	0	131	0	17	10	36	0	552	505
Turner[12]	7	2	0	20	8	2	NA	0	69	NA
Twiggs	5	3	1	10	4	5	14	0	84	77
Upson	20	13	2	70	19	4	46	0	277	172
Walker	22	29	6	150	62	30	0	0	463	359
Walton	31	13	3	75	12	7	0	0	315	200
Ware[13]	44	17	2	101	19	8	30	0	469	279
Warren	6	0	1	13	2	0	3	0	36	31
Washington	7	16	15	85	30	5	36	3	151	115
Webster	6	3	0	10	4	4	2	0	10	28
Wheeler	1	0	0	6	1	0	0	0	60	36
White	8	4	1	32	9	6	2	0	104	64
Whitfield	18	25	3	125	23	6	86	0	693	403
Wilkes	9	0	4	30	9	0	14	0	73	7
Wilkinson	4	2	2	17	13	0	0	0	109	114
Worth	10	2	1	48	5	4	21	0	143	69

[1]Approximate figures.
[2]Other actions, certifications, copies: 4,288.
[3]Other miscellaneous actions: 15.
[4]Other miscellaneous actions: 2.
[5]Other miscellaneous actions: 47.
[6]Discharges.
[7]Other actions: 42.
[8]Other actions: 15.
[9]Other actions: 35.
[10]Other actions: 528.
[11]Other actions: 28.
[12]Number of petitions for involuntary hospitalization and applications for pistol licenses unknown.
[13]Other actions: 258.
[14]Other actions: 168.

Juvenile Courts

Under current Georgia law, juvenile court organization varies throughout the state. Separate juvenile courts, created in every county with a population of at least 50,000 (except Richmond County) and presided over by a judge appointed to hear only juvenile cases, operate in 57 counties. In counties having a population of less than 50,000 where juvenile courts have not been established subsequent to the recommendation of two successive grand juries, superior court judges exercise jurisdiction over juvenile cases. Superior court judges or their designated referees hear juvenile matters in the remaining 102 counties.

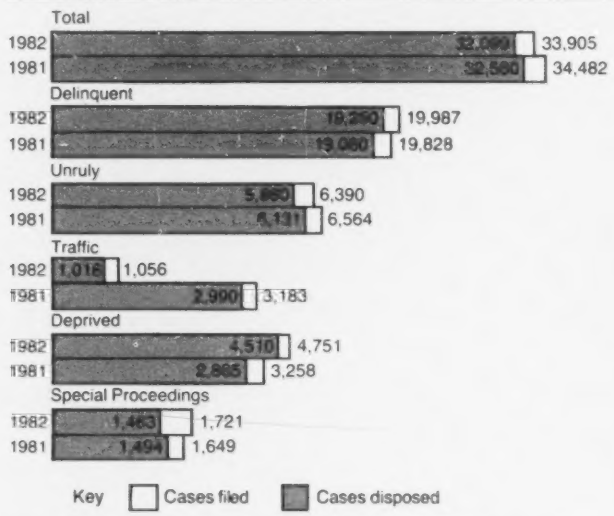
Juvenile court judges are appointed for six-year terms by the superior court judges of their respective counties. In fiscal year 1982, there were nine full-time juvenile court judges, and 38 judges served part-time. (A judge's part-time status permits him or her to practice law in addition to the office's official duties.) Of the 47 juvenile court judges serving the separate juvenile courts, four served as both the juvenile and state court judge.

The juvenile court's exclusive original jurisdiction extends to cases involving delinquent children alleged to have committed a noncapital offense and unruly children under the age of seventeen, deprived children under the age of eighteen and juvenile traffic offenders under the age of sixteen. In addition, the juvenile court has jurisdiction in custody proceedings referred from the superior court and in cases involving the termination of parental rights and enlistment in the military services and consent to marriage for minors. Appeals from the juvenile court in all cases of final judgment are to the Court of Appeals and the Supreme Court.

When the Georgia legislature created the Council of Juvenile Court Judges in 1971, certain responsibility for improvements in the juvenile court system was granted to juvenile court judges themselves. Composed of all judges exercising jurisdiction in juvenile matters, the Council is authorized to establish general policies regarding the conduct of juvenile courts, promulgate uniform rules and forms governing procedure and develop educational standards for the judges' mandatory training program. A separate report on the activities of the Council of Juvenile Court Judges for fiscal year 1982 starts on page 49.

Statewide total juvenile court caseload is compared at left for fiscal years 1982 and 1981. Juvenile court filings and dispositions for FY '82 are presented by county on pages 22-24.

Total Juvenile Court Caseload: FY 1982 and FY 1981*
(Number of Children)



*Total caseload figures do not include data for Ware and Whitfield counties.

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Other Courts

There are a number of local limited jurisdiction courts which form part of the Georgia judicial system along with the four major trial courts. While some of these courts exercise civil and criminal jurisdiction county-wide, others are authorized to hear either civil or criminal cases only.

Justice of the peace courts may exercise civil jurisdiction in their respective militia districts (and in some cases in other districts), but their criminal jurisdiction extends throughout the county. They are empowered by the constitution to hear certain civil cases (those involving contracts or damages to personal property) when the principal amount claimed does not exceed $200, except in specific justice courts for which the jurisdictional limit has been raised by local constitutional amendment. The criminal jurisdiction of justices of the peace authorizes them to issue search and arrest warrants and to hold criminal commitment hearings. In addition, they may preside over dispossessory actions, perform marriages, administer oaths, take affidavits, hear claims against trust estates (under $100) and fine for contempt of court.

Established by local legislation, **small claims courts** generally have county-wide jurisdiction in both civil and criminal matters. Although the jurisdiction of these courts is similar to that of justice courts, the civil jurisdictional limits are usually higher, and not all small claims court judges are vested with criminal jurisdiction. Some state courts—in Cobb, DeKalb and Fulton counties—have a small claims division presided over by a state court judge.

Several other **special courts** retain civil jurisdiction throughout the county, as well as the criminal jurisdiction of a justice of the peace. Special courts include the civil courts of Bibb and Richmond counties; the municipal courts of Columbus and Savannah; and the county courts of Baldwin, Echols and Putnam counties.

While granted the same jurisdiction as the above-listed courts, the magistrate's courts located in Douglas and Rockdale counties have additional criminal jurisdiction to hear violations of county ordinances. The Athens-Clarke County Magistrate's Court is further authorized to hear violations of state traffic laws. The magistrate's courts of Baldwin and Glynn counties only exercise the criminal jurisdiction of justice courts.

Other courts that are authorized to exercise criminal jurisdiction only are the county recorder's courts in Chatham, DeKalb, Muscogee and Gwinnett counties.

At the local level, Georgia has more than 400 courts which try local traffic offenses and cases involving violations of municipal ordinances and exercise the criminal jurisdiction of justices of the peace. Such courts serve incorporated municipalities and include city courts, mayor's courts, municipal courts and recorder's courts.

FY 1982 Juvenile Court Caseload (Number of Children)

	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total	
County	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Appling	32	24	11	5	0	0	2	2	0	0	45	31
Atkinson	11	11	0	0	0	0	0	0	0	0	11	11
Bacon	6	6	1	1	0	0	4	2	0	0	11	9
Baker	8	4	0	0	0	0	1	0	1	0	10	4
Baldwin	57	53	17	14	0	0	40	37	2	2	116	106
Banks	5	7	0	0	1	1	4	2	0	0	10	10
Barrow	63	55	3	2	2	2	48	44	0	0	116	103
Bartow	304	297	186	178	1	0	172	145	31	32	694	652
Ben Hill	37	36	11	10	0	0	13	11	0	0	61	57
Berrien	23	27	4	4	0	0	0	0	0	0	32	31
Bibb	657	642	75	69	0	0	79	68	112	73	923	852
Bleckley	14	13	3	3	0	0	1	1	0	0	18	17
Brantley	7	5	1	1	0	0	3	1	0	0	11	7
Brooks	22	19	0	0	0	0	3	4	1	1	26	24
Bryan	36	36	8	8	0	0	0	0	3	3	47	47
Bulloch	63	67	8	7	6	6	11	8	9	6	97	94
Burke	24	16	0	0	0	0	7	5	0	0	31	21
Butts	20	20	0	0	0	0	1	1	11	5	32	26
Calhoun	15	13	0	0	0	0	0	0	0	0	15	13
Camden	93	96	25	25	7	8	3	3	0	0	128	132
Candler	9	9	2	2	0	0	9	8	1	1	21	20
Carroll	69	62	10	9	2	2	30	20	32	27	143	120
Catoosa	118	116	19	22	3	3	14	16	0	0	154	157
Charlton	4	4	1	1	0	0	1	1	0	0	6	6
Chatham	1,138	1,044	266	233	66	57	193	177	77	60	1,740	1,571
Chattahoochee	29	30	8	7	0	0	0	0	0	0	37	37
Chattooga	33	30	13	12	2	2	34	31	0	0	82	75
Cherokee	202	92	67	37	24	11	92	61	4	4	389	205
Clarke	243	247	22	22	0	0	15	15	41	41	321	325
Clay	14	6	0	0	0	0	0	0	0	0	14	6
Clayton	717	746	313	286	42	35	226	222	106	94	1,404	1,383
Clinch	19	17	0	0	0	0	0	0	0	0	19	17
Cobb	1,248	1,234	539	558	71	76	152	186	95	72	2,105	2,126
Coffee	64	54	0	0	10	10	6	6	0	0	80	70
Colquitt	138	144	11	11	0	0	17	16	2	2	168	173
Columbia	120	109	28	27	0	0	0	0	8	7	156	143
Cook	50	40	9	8	0	0	9	9	0	0	68	57
Coweta	142	137	4	4	2	2	43	40	11	10	202	193
Crawford	8	6	0	0	0	0	0	0	0	1	8	7
Crisp	85	89	28	28	2	2	12	9	1	1	128	129
Dade	13	13	23	16	2	1	19	17	0	0	57	47
Dawson	4	5	0	0	0	0	1	1	1	1	6	7
Decatur	66	60	5	3	0	0	2	4	2	0	75	67
DeKalb	1,807	1,673	882	668	72	69	471	452	26	29	3,258	2,891
Dodge	23	20	3	0	0	0	6	3	0	0	32	23
Dooly	19	24	4	4	1	1	11	8	0	0	35	37
Dougherty	548	565	9	12	18	16	51	58	2	4	628	655
Douglas	346	357	61	66	173	175	77	62	11	10	668	670
Early	46	51	0	0	6	6	1	1	0	0	53	58
Echols**												
Effingham	37	33	1	1	1	1	7	7	0	0	46	42
Elbert	34	27	4	3	0	0	7	7	0	0	45	37
Emanuel	27	27	2	2	0	0	24	23	0	0	53	52
Evans	16	16	1	1	0	0	13	13	0	0	30	30

FY 1982 Juvenile Court Caseload—continued

	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total	
County	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed*
Fannin	20	16	2	2	6	6	24	22	4	4	56	50
Fayette	26	33	1	1	0	1	14	16	3	3	44	54
Floyd	440	441	288	278	15	15	199	201	32	35	974	970
Forsyth	69	4	33	1	16	0	0	0	70	0	188	5
Franklin	15	12	0	0	0	0	7	7	0	0	22	19
Fulton	2,974	3,056	804	800	154	164	781	838	100	97	4,813	4,955
Gilmer	21	17	20	11	0	0	11	10	6	5	58	43
Glascock	0	3	0	0	0	0	0	0	0	0	0	3
Glynn	352	383	164	163	21	21	29	28	17	16	583	611
Gordon	114	113	50	49	0	0	55	48	3	3	222	213
Grady	50	44	2	0	0	0	0	0	8	8	60	52
Greene	5	5	1	1	0	0	5	5	0	0	11	11
Gwinnett	712	521	416	343	31	23	235	216	194	149	1,588	1,252
Habersham	13	0	1	0	0	0	10	0	0	0	24	0
Hall	258	273	136	136	13	15	45	46	25	25	477	495
Hancock	1	1	0	0	0	0	0	0	0	0	1	1
Haralson	22	21	4	4	0	0	24	16	0	0	50	41
Harris	24	24	12	10	1	1	0	0	0	0	37	35
Hart	18	18	2	2	2	2	7	11	1	1	30	34
Heard	12	9	2	1	0	0	0	0	4	3	18	13
Henry	53	55	5	6	0	0	6	8	22	22	86	91
Houston	114	116	4	3	2	2	17	15	6	8	143	144
Irwin	10	10	1	0	1	1	0	0	0	0	12	11
Jackson	58	56	5	5	5	4	30	28	0	0	98	93
Jasper	4	4	0	0	0	0	3	3	0	0	7	7
Jeff Davis	30	28	5	5	2	2	9	9	3	3	49	47
Jefferson	31	35	0	0	0	0	6	7	0	0	37	42
Jenkins	21	19	0	0	0	0	3	2	0	0	24	21
Johnson	4	3	1	1	0	0	0	0	0	0	5	4
Jones	7	7	1	1	0	0	4	4	0	0	12	12
Lamar	8	8	0	0	0	0	0	1	1	1	9	10
Lanier	8	8	0	0	0	0	0	0	0	0	8	8
Laurens	130	119	21	18	12	9	63	36	0	0	226	182
Lee	16	22	26	23	0	0	2	3	12	10	56	58
Liberty	166	144	36	37	1	1	15	3	1	1	219	186
Lincoln	4	4	0	0	0	0	4	4	0	0	8	8
Long	15	14	11	9	0	0	2	1	0	0	28	24
Lowndes	131	131	8	8	0	0	41	41	6	2	186	182
Lumpkin	15	14	1	1	0	0	8	7	0	0	24	22
Macon	23	23	6	7	0	0	11	7	0	0	40	37
Madison	20	19	2	2	6	5	10	10	0	0	38	36
Marion	2	2	0	0	0	0	0	0	0	0	2	2
McDuffie	42	42	0	0	0	0	5	5	12	15	59	62
McIntosh	21	27	7	7	0	1	5	5	0	0	33	40
Meriwether	63	61	1	1	2	2	14	14	1	1	81	79
Miller	40	39	0	0	0	0	2	2	1	1	43	42
Mitchell	58	55	1	0	0	0	12	4	0	0	71	59
Monroe	5	4	1	1	0	0	5	6	9	7	20	18
Montgomery	25	24	5	5	0	0	9	9	0	0	39	38
Morgan	10	10	4	4	0	0	26	26	2	2	42	42
Murray	65	65	43	43	0	0	17	18	9	9	134	135
Muscogee	1,034	1,025	538	528	137	138	154	143	312	286	2,175	2,120
Newton	150	148	22	22	3	3	109	116	51	52	335	341
Oconee	4	4	1	1	0	0	4	2	0	0	9	7

FY 1982 Juvenile Court Caseload—continued

	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total	
County	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Oglethorpe	7	6	5	6	0	0	9	6	0	0	21	18
Paulding	56	53	2	2	3	3	6	11	0	0	67	69
Peach	89	90	23	23	0	0	0	0	0	0	112	113
Pickens	60	38	29	12	11	10	32	16	3	0	135	76
Pierce	10	9	4	3	0	0	5	3	0	0	19	15
Pike	3	3	1	1	0	0	0	0	4	4	8	8
Polk	77	74	3	2	4	3	9	6	4	4	97	89
Pulaski	26	27	1	2	0	0	0	0	2	1	29	30
Putnam	10	10	1	1	0	0	4	4	0	0	15	15
Quitman	0	0	0	0	0	0	0	0	0	0	0	0
Rabun	15	15	0	0	0	0	11	7	0	0	26	22
Randolph	23	23	0	0	0	0	6	6	0	0	29	29
Richmond	658	670	298	296	27	27	13	13	4	4	1,000	1,010
Rockdale	189	179	72	70	0	0	48	54	34	32	343	335
Schley	16	15	5	2	0	0	5	0	0	0	26	17
Screven	19	18	5	5	0	0	2	1	0	0	26	24
Seminole	24	21	3	1	0	0	0	0	0	0	27	22
Spalding	240	236	84	85	2	2	52	52	3	6	381	381
Stephens	28	31	1	1	1	1	6	6	7	6	43	45
Stewart	7	51	4	17	1	1	1	0	0	0	13	69
Sumter	127	140	42	42	3	3	15	19	1	1	188	205
Talbot	8	8	1	1	0	0	0	0	0	0	9	9
Taliaferro	0	0	0	0	0	0	0	0	0	0	0	0
Tattnall	23	22	1	1	1	1	0	0	0	0	25	24
Taylor	26	9	2	0	0	0	0	0	0	0	28	9
Telfair	7	10	0	0	0	0	5	5	0	0	12	15
Terrell	17	10	0	0	0	0	0	0	10	10	27	20
Thomas	129	133	50	49	7	10	19	21	14	15	219	228
Tift	76	71	14	9	3	1	16	16	7	6	116	103
Toombs	16	16	5	5	0	0	12	13	0	0	33	34
Towns	5	1	0	0	1	0	2	4	0	0	8	5
Treutlen	9	7	1	1	0	0	16	16	0	0	26	24
Troup	402	330	13	15	7	8	78	80	5	7	505	440
Turner	18	22	0	0	0	0	0	0	1	3	19	25
Twiggs	10	8	1	1	0	0	8	8	0	0	19	17
Union	6	4	2	1	0	0	1	1	4	4	13	10
Upson	37	37	5	5	0	0	32	26	1	0	75	68
Walker	186	171	43	35	19	19	30	23	0	0	278	248
Walton	369	378	123	123	8	16	135	124	60	66	695	707
Ware**												
Warren	3	3	0	0	0	0	0	0	0	0	3	3
Washington	54	54	4	4	0	0	0	0	0	0	58	58
Wayne	50	41	10	5	0	0	16	12	0	0	76	58
Webster	3	4	1	2	0	0	1	3	0	0	5	9
Wheeler	3	3	0	0	0	0	0	0	0	0	3	3
White	12	10	3	3	3	3	5	4	0	0	23	20
Whitfield	264	226	145	118	11	6	163	130	49	39	632	519
Wilcox	6	8	1	1	0	0	0	0	0	0	7	9
Wilkes	4	4	0	0	0	0	9	8	0	0	13	12
Wilkinson	6	6	0	0	0	0	2	2	0	0	8	8
Worth	83	72	0	0	0	0	0	0	3	0	86	72
TOTAL	19,987	19,250	6,390	5,860	1,056	1,016	4,751	4,510	1,721	1,463	33,905	32,099

*Dispositions in the ninth district are extremely low. This is probably a result of non-entry of dispositions on court dockets.
**Caseload information was not transmitted to the AOC.

Judicial Council of Georgia

The ninth year of existence of the Judicial Council of Georgia was the Council's first full year of operation as a 24-member body representing all classes of courts in Georgia. The addition of a twenty-fourth member at the beginning of fiscal year 1982 formalized the Council's desire to provide for the participation of a judge of the state's local courts of limited jurisdiction not previously represented in decisions regarding the Council's contribution to judicial administration. The courts represented by the new member, who serves as a city court judge, include more than 500 magistrates, mayors, recorders, police, small claims, municipal, civil, county, traffic and county recorders courts.

Early in the year, the Judicial Council adopted a report prepared by its Judicial Services Committee recommending that the Council favor the concept that all members be permitted to vote. At that time, the four non-voting members included the representatives of the Supreme Court, the justices of the peace, the superior court clerks and the local courts of limited jurisdiction. On December 12, 1981, the Council petitioned the Supreme Court of Georgia for an order eliminating non-voting membership of the Council and providing for all members to exercise voting privileges. The Supreme Court subsequently issued an order (December 14, 1981) which established the Council's voting membership to include all members with the exception of the Supreme Court member. While no explanation for the Court's decision to exclude its own representative was made a part of the order, it was apparent that the action would preserve the independence of the Court should an action arise concerning the Judicial Council.

Fiscal Year 1982 Activities

The Judicial Council met five times during the year—in July, October, December, March and June—to pursue its stated goals. Seven goals adopted by the Judicial Council reflected a plan to continue services that had, for the most part, been provided in the past. In certain other areas, steps were taken to support the judiciary in new ways.

Members of the Judicial Council of Georgia (July 1, 1981 to June 30, 1982)

Judge Joseph J. Gaines
Chairman
Superior Courts
Western Judicial Circuit
Athens

Judge Andrew J. Whalen, Jr.
Vice Chairman
Superior Courts
Griffin Judicial Circuit
Griffin

Judge James W. Head
Secretary-Treasurer
State Court of Chatham County
Savannah

Goals for Fiscal Year 1982

Goal #1. Consult with and assist judges, administrators, clerks of court, and other officers and employees of the court pertaining to matters relating to court administration and provide such services as are requested. The Council's first goal indicated its commitment to provide judges and other court personnel with timely information on legislative and judicial decisions affecting their courts. Specific objectives identified and accomplished in relation to this goal included the preparation and publication of the *Judicial Legislative Log (Volume 7)*, the publication and distribution of the *Alert Bulletin of Current Citations (Volume 2)* and the preparation and printing of updates to the *Jury Commissioners Handbook* and the *Georgia Probate Court Benchbook*.

Goal #2. Compile statistical and financial data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts, which shall be provided by the courts. Conducting an annual caseload data collection survey and disseminating caseload information for the use of the judiciary continues to be one of the primary goals of the Judicial Council. During the year, the Council directed the Administrative Office of the Courts to conduct the ninth annual survey of caseload encompassing Georgia's four principal trial courts—the superior, state, probate and juvenile courts. Data garnered from the survey was reported to the district administrative judges and their assistants for local management uses.

Also in line with the Council's second goal, caseload and other data was made available as requested to the Subcommittee on Judicial Article Revision of the Select Committee on Constitutional Revision.

Three publications completed under the Council's direction included the *Georgia Courts Journal (Volume 9)*, the *1981 Georgia Courts Directory* and the *1981 Salary Survey of Georgia's Trial Court Personnel*.

Goal #3. Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation. Perhaps the most significant new accomplishment for the year was the completion of a study of the average length of time required to process civil and criminal cases in Georgia's superior courts. Concerned about the lack of information on case processing times available to judges, the Judicial Council had commissioned the Administrative Office of the Courts to perform the study to assist superior court judges in evaluating trial processing times in their courts. The study provided a means by which local courts could identify delay problems and more efficiently manage litigation.

Goal #4. Act as fiscal officer and prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system. Fiscal year 1982 was the second year in which the Judicial Council worked with the Supreme Court of Georgia to present a coordinated judicial budget, representing fifteen judicial agencies, to the General Assembly. In fulfilling its fiscal responsibilities, the Council and its staff continued to provide administrative and fiscal support to the Board of Court Reporting, the Council of Juvenile Court Judges, the Georgia Justice Courts Training Council, the Institute of Continuing Judicial Education, the Judicial Administrative Districts, the Judicial Qualifications Commission, the Superior Courts Sentence Review Panel and the Benchbook and Pattern Jury Instructions committees of the Council of Superior Court Judges.

Members of the Judicial Council of Georgia (July 1, 1981 to June 30, 1982)

Judge Richard Bell
Superior Courts
Stone Mountain Judicial Circuit
Decatur

Judge Berry E. Brock
Justice of the Peace
Fulton County
Fairburn

Judge Robert E. Coker*
Senior Judge
Lookout Mountain Judicial Circuit
LaFayette

Judge Robert Cook
Probate Court of Chatham County
Savannah

Judge Robert L. Culpepper, Jr.
Superior Courts
South Georgia Judicial Circuit
Camilla

Woodson Daniel
Clerk of Superior Court
Pulaski County
Hawkinsville

Judge Joel J. Fryer
Superior Court
Atlanta Judicial Circuit
Atlanta

Judge P. Harris Hines
State Court of Cobb County
Marietta

Judge Ben A. Hodges
Superior Courts
Waycross Judicial Circuit
Waycross

Judge Willis B. Hunt, Jr.
Superior Court
Houston Judicial Circuit
Perry

Judge Harry Johnson, Jr.
Probate Court of Floyd County
Rome

Goal #5. Formulate and submit recommendations for the improvement of the judicial system. Pursuant to an analysis of caseload data collected through the annual caseload survey, the Judicial Council made recommendations to the Georgia General Assembly and the Governor for the creation of three new superior court judgeships and for the establishment of a new judicial circuit. The Council based its recommendations for the individual judgeships on fiscal year 1981 caseload figures as well as on its policy favoring multi-judge circuits and on an analysis of circuit population and potential judicial assistance. In addition, the Council analyzed the caseload and recommended a full-time judgeship for the State Court of Clarke County and studied the need for an additional judgeship for the State Court of Cobb County.

As a supplementary activity, the Judicial Council completely revised its policy regarding studies and recommendations for additional judgeships. Policy changes were made concerning the initiation of studies, methodological criteria and Council deliberations. Several additional criteria for recommending the creation of new judicial circuits, or changing circuit boundaries, were also adopted during the year.

Goal #6. Prepare and publish an annual report on the work of the courts and the activities of the Administrative Office of the Courts. This goal was accomplished with the publication and distribution of the *Eighth Annual Report of the Administrative Office of the Courts* in April, 1982.

Goal #7. Under Georgia Laws 1981, p. 1422, work with the State Records Committee in establishing records retention schedules for various court records. The 1981 amendment to the State Records Act (1972) provided a new process for establishing retention schedules for court records by authorizing the State Records Committee, with the concurrence of the Administrative Office of the Courts, to approve and adopt the schedules. In response to the authority granted by the amendment, the Judicial Council appointed seven additional persons to its Records Advisory Committee. The new committee members included one probate judge, three superior court clerks, one court administrator and two local records management officers.

Members of the Judicial Council of Georgia (July 1, 1981 to June 30, 1982)

Judge R. Don Lewis
Probate Court of McIntosh County
Darien

Judge Juanita Marsh
City Court of College Park
College Park

Justice Thomas O. Marshall
Supreme Court of Georgia
Atlanta

Kirk M. McAlpin
Past President
State Bar of Georgia
Atlanta

Judge Walter C. McMillan, Jr.
Superior Courts
Middle Judicial Circuit
Sandersville

Judge Reid Merritt
Superior Court
Gwinnett Judicial Circuit
Lawrenceville

Judge Grady C. Pittard, Jr.
State Court of Clarke County
Athens

Chief Judge J. Kelley Quillian
Court of Appeals of Georgia
Atlanta

Bob Reinhardt
Immediate Past President
State Bar of Georgia
Tifton

Judge Edward D. Wheeler
Juvenile Court of DeKalb County
Decatur

Judge Jere F. White*
Superior Courts
Cherokee Judicial Circuit
Cartersville

*Judge White replaced Judge Coker as the representative from the seventh judicial administrative district on March 16, 1982.

Additional Activities

In performing its general duties, the Judicial Council worked with two judicial agencies—the Board of Court Reporting and the Institute of Continuing Judicial Education—that have been charged with carrying out certain of the Council's specific functions and with the Georgia Justice Courts Training Council. Other activities were undertaken by the Council's various committees.

During the year, the Judicial Council approved six appointments to the Board of Court Reporting and adopted a method of staggering the board members' terms. In response to a request for an official opinion of the Council regarding certain transcript costs, the Council passed a committee recommendation that payment of transcript costs for appeals in non-indigent felony cases must be borne by the appellant. The Council also approved, with modification, a request for an increase in the per page rate for transcripts charged by official court reporters and adopted two committee recommendations to continue studying court reporters' compensation and problems relating to court reporting practices.

In fulfilling its responsibilities concerning the Institute of Continuing Judicial Education and the Georgia Justice Courts Training Council, the Judicial Council carried out certain duties prescribed by Supreme Court order and by statute, respectively. The Council approved a change in the Institute's bylaws which authorizes its board of trustees to retain primary responsibility for the continuing education of supporting court personnel, as well as the judiciary in Georgia. The Council also approved the curricula planned for the Justice Courts Training Council's three 20-hour and one 40-hour training seminars for justices of the peace and small claims court judges.

In fiscal year 1982, the Council's Traffic Court Committee addressed itself to common problems of judges handling traffic cases. Specific areas discussed included the Non-Resident Violator Compact, the reporting of traffic violations to the Department of Public Safety (DPS) and the problems of individuals whose licenses are revoked due to alterations in insurance coverage. Further discussion concerned the matter of obstructions on highways and uniformity in traffic court jurisdiction. At its June, 1982, meeting, the Judicial Council approved the committee's recommendation for action in several of these areas, including:

- Drafting legislation to require persons obstructing a highway or other public passage to use visual warning signals;
- Drafting legislation to provide that all courts handling a particular class of traffic offenses have uniform jurisdiction and uniform authority to sentence and fine;
- Expressing concern to the Department of Public Safety over the large number of driver's license suspensions for failure to notify DPS of changes in insurors; and
- Preparing additional chapters of the *Georgia Traffic Court Manual* detailing suggested procedures to be used for processing traffic cases.

The Judicial Council continued its efforts at long-range planning for the Georgia judicial system through its Planning and Goals Committee and in its capacity as the Judicial Planning Committee. The Council published the *1982 Georgia Courts Plan* in February, 1982. The plan contains twenty goals and more than 100 related objectives which present a comprehensive method by which the administration of justice in the state might be improved.

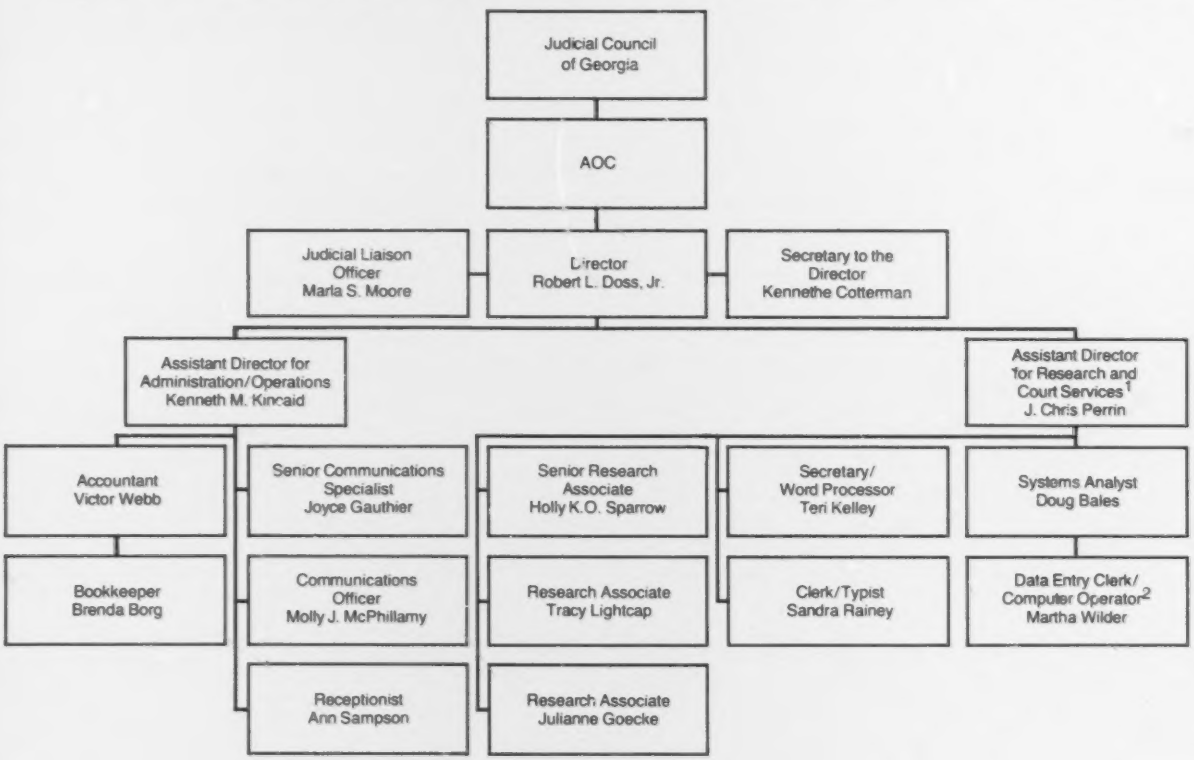
The activities of three agencies of the Judicial Council--the Administrative Office of the Courts, the Board of Court Reporting and the Institute of Continuing Judicial Education—during fiscal year 1982 are reviewed in the following pages.

Administrative Office of the Courts

The Administrative Office of the Courts operates as the staff of the Judicial Council of Georgia, performing a variety of legislatively enumerated and Supreme Court-ordered duties. The duties range from such broadly defined functions as 'formulate and submit recommendations for the improvement of the judicial system' to more specific tasks as serving as fiscal officer and preparing budget estimates for the operation of the judicial system. (See Georgia Laws 1973, p. 288, and Supreme Court orders dated June 12, 1978; February 6, 1980; January 15, 1981; and December 14, 1981.) During the past year, the AOC carried out its responsibilities in these different areas primarily by providing established, systemwide services to the state's judges.

Organized into two divisions—administration/operations and research/court services, the AOC conducts its activities under the guidance of the Judicial Council and the Council's stated goals. The following paragraphs report in detail the particular projects and activities of the two divisions.

Administrative Office of the Courts Organizational Chart: June 30, 1982



[1]One-half of this position is funded by the Council of Juvenile Court Judges.
[2]One-third of this position is funded by the Council of Juvenile Court Judges.

Administration/Operations

As part of its administrative duties, the Administrative Office of the Courts performs fiscal and communications services. These services entail coordination of the judicial branch appropriation request, budget preparation and administration for certain judicial agencies and production and distribution of a variety of general and specialized publications.

Fiscal Services

In providing fiscal support services for the judicial branch, the AOC assisted in the preparation of the coordinated judicial budget presented by the Presiding Justice of the Supreme Court to a joint session of the 1982 Appropriations Committees. Such assistance included working with seven other judicial agencies in the development of their budgets and coordinating the budget requests of all fifteen judicial agencies. The seven agencies assisted by the AOC were the Board of Court Reporting, the Council of Juvenile Court Judges, the Georgia Justice Courts Training Council, the Institute of Continuing Judicial Education, the Judicial Administrative Districts, the Judicial Qualifications Commission and the Superior Courts Sentence Review Panel.

Also during the past year, the seven agencies were served fiscally in many areas by the Administrative Office of the Courts. Fiscal services included activities related to personnel records, accounts payable, cash flow management, purchasing, inventory control and financial reporting. The AOC's computerized accounting system, which became operational in early 1982, was developed to assume some of the routine fiscal operations such as payroll.

The combined fiscal year 1983 budget requests of the fifteen agencies totaled $28,469,949—an increase of $3,403,423 (14%) over funds requested in fiscal year 1982. The General Assembly eventually appropriated $26,611,140 for the judical branch for the year beginning July 1, 1982. The FY '83 appropriation amounted to a 9½ percent increase over the previous year's funds for the judiciary.

General and supplemental state appropriations comprised 68 percent ($1,518,825) of the $2,241,429 administered by the AOC. Federal funds accounted for 27 percent ($608,094) of the

State Appropriations for Courts and Judicial Agencies

Fiscal Year 1982: July 1, 1981 to June 30, 1982
Total State Budget: $3,522,966,448
Judicial Budget: $24,305,842
0.69%
(Less than 1%)

Court or Agency	FY 1982	FY 1983	CHANGE FY 82-83	% CHANGE FY 82-83
Supreme Court	$ 2,208,582	$ 2,425,119	$ 216,537	9.8%
Court of Appeals	2,499,016	2,702,951	203,935	8.2%
Superior Courts (Total)	17,972,417*	19,730,053	1,757,636	9.8%
Superior Court Judges/DA's	17,410,970*	19,201,330	1,790,360	10.3%
Advisory Council for Probation	63,078*	0	(63,078)	(100.0%)
Prosecuting Attorneys' Council	424,371	446,539	22,168	5.2%
Sentence Review Panel	73,998	82,184	8,186	11.1%
Administrative Office of the Courts (Total)	744,023*	813,731	69,709	9.4%
AOC Central Operations	541,743*	586,178	44,436	8.2%
Institute of Continuing Judicial Education	202,280	227,553	25,273	12.5%
Appellate Court Reports	211,000*	190,000	(21,000)	(10.0%)
Board of Court Reporting	14,123	15,486	1,363	9.7%
Council of Juvenile Court Judges	97,592	104,384	6,792	7.0%
Georgia Indigent Defense Council	0	0	-	-
Georgia Justice Courts Training Council	12,700*	13,970	1,270	10.0%
Judicial Administrative Districts	496,629*	569,658	73,028	14.7%
Judicial Qualifications Commission	49,760	45,788	(3,972)	(8.0%)
Judicial Branch Total	$24,305,842*	$26,611,140	$ 2,305,298	9.5%

*Includes supplemental appropriations approved by the 1982 General Assembly.

Summary of Funds Administered by the Judicial Council of Georgia/ Administrative Office of the Courts in Fiscal Year 1982

Project	Funding Source	Funds Available*	Expenditures*
Administrative Office of the Courts	State Funds	$ 541,743	$ 541,743
	Fees	172	0
Judicial Education	LEAA Grant 80A-32-8007-0001	21,417	21,417
Traffic Court Manual	NHTSA Grant 81-46-04-A-307-07**	11,650	4,754
Institute of Continuing Judicial Education	State Funds	202,280	202,280
	Governor's Emergency Fund	4,040	4,039
	Governor's Emergency Fund	36,595	36,595
Board of Court Reporting	State Funds	14,123	14,123
	Fees	35,978	31,078
Council of Juvenile Court Judges	State Funds	97,592	97,592
Purchase of Services	OJJDP Grants		
	80J-32-8016-0002	184,047	140,802
	78J-29-001**	88,000	88,000
	81J-32-8103-0005**	300,000	18,488
Georgia Justice Courts Training Council	State Funds	12,700	12,700
	Fees	37,650	30,427
Judicial Administrative Districts	State Funds	496,629	496,629
Judicial Planning Committee	1980 LEAA Contract 80P-JPC	2,980	2,980
Judicial Qualifications Commission	State Funds	49,760	41,822
Superior Courts Sentence Review Panel	State Funds	73,998	73,998
Superior Court Judges Benchbook	State Funds	20,000	20,000
Pattern Jury Instructions	State Funds	10,000	10,000
	Fees	75	0
TOTAL		$2,241,429	$1,889,467

*Rounded to the nearest dollar.
**Grants awarded in fiscal year 1982.

Five-Year Comparison for Judicial Budget (1979-1983)

Fiscal Year	Total State Appropriation	Increase	Judicial Appropriation	Increase	Percent of State Budget
1979	$2,714,211,109	$451,394,838	$15,738,481	$3,134,030	0.58%
1980	2,850,152,707	135,941,598	17,875,192	2,136,711	0.62%
1981	3,217,056,705	366,903,998	20,554,407	2,579,215	0.64%
1982	3,522,966,448	232,943,295	24,305,842	3,751,435	0.69%
1983	3,732,000,000	209,033,552	26,611,140	2,305,298	0.71%

total funds that the AOC managed. These latter funds were distributed from funds awarded by the Law Enforcement Assistance Administration and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) through three continuation grants for judicial education, long-range planning for the courts and the purchase of services for juvenile offenders. Three other grants awarded in fiscal year 1982 by OJJDP and the National Highway and Traffic Safety Administration of the U.S. Department of Transportation funded the juvenile purchase of services program and a seminar for Georgia traffic judges, respectively.

The remaining funds administered by the AOC were fees collected from three sources and funds distributed from the Governor's Emergency Fund. Of the $73,875 in fees managed, $35,978 was from fees charged court reporters for renewing their certification or taking the proficiency examination given by the Board of Court Reporting. Tuition fees paid by justices of the peace to attend training seminars totaled $37,650, which was administered for the Georgia Justice Courts Training Council. Fees collected by the AOC for publications distributed on an individual or subscription basis accounted for a small fraction of the total fees ($247).

Funds distributed to the Institute of Continuing Judicial Education (ICJE) from the Governor's Emergency Fund were about two percent of the total funds administered by the AOC. ICJE was awarded $4,040 to sponsor the Governor's Conference on Prison Overcrowding and $36,595 to reimburse seminar participants for educational expenses.

Total funds expended by the AOC and the other agencies for which funds were handled during the year decreased by almost eight percent from $2,049,094 in FY '81 to $1,889,467 in FY '82. The decrease was largely due to the absence of federal funds available the past year.

Communications

In keeping with the Judicial Council's communications policy to develop a comprehensive information service for the Georgia judicial system, the Administrative Office of the Courts continued to produce ongoing publications and updates to handbooks and manuals. In addition, the AOC provided public information on the judicial system through news releases and assisted in plans to produce radio spot announcements to publicize the Council's role in the court system.

The AOC published eleven issues of the *Georgia Courts Journal (Volume Nine)* during the year to inform judges and other court personnel of court administration activities, judicial personnel and court procedural changes, recent legislation affecting the judiciary and services provided by the Judicial Council/AOC. The *Journal* also summarized the texts to official and unofficial Attorney General's Opinions, complete copies of which were distributed on request. The *Journal* was distributed to more than 2,600 federal and state judges, clerks, court reporters and members of other agencies and non-profit organizations.

To inform the judiciary of court-related measures under consideration by the 1982 General Assembly, the AOC produced and distributed the seventh volume of the *Judicial Legislative Log*. The *Log* was published weekly during the legislature's 40-day session to summarize more than 500 pieces of court-related legislation and to report changes in their statuses. Nine issues of the *Log*, including a final issue that reported on all bills and resolutions followed throughout the legislative session, were distributed to approximately 1,200 individuals. Additionally, the AOC made available on request copies of specific bills to judges, court personnel and the public.

For the second year, the *Alert Bulletin of Current Citations (ABC's)* was published to inform trial judges of points of interest in recent opinions issued by the United States Supreme Court and the Georgia appellate courts. Two superior court judges from the Atlanta Judicial Circuit, Judge Frank M. Eldridge and Judge William W. Daniel, served as editor and assistant editor of the casenotes. Four issues were distributed during the year to judges of Georgia's appellate, superior, state and juvenile courts.

The AOC published the *1981 Georgia Courts Directory*, which contains a listing of the names, addresses and telephone numbers of court personnel in the state. The listing included more than 1,000 federal and state judges, district attorneys, solicitors, clerks, court administrators, official court reporters and judicial organiza-

tions. Approximately 2,000 directories were distributed, and for the first time, a small fee to cover printing costs was charged to private individuals and corporations who requested the publication.

Several updates to previously published works were completed during the year. The *Georgia Traffic Court Manual* and the *Georgia Probate Court Benchbook* were revised to reflect changes in statutory and case law. Along with the revisions, the two handbooks were reprinted to provide an in-house inventory of material for new judges and extra copies for other court personnel. The AOC also produced an update and reprint of the *Jury Commissioners Handbook*.

Under the guidance of the Communications Committee of the Judicial Council, the AOC continued to work with the news media to obtain timely information on the courts and to develop a greater public understanding of the judicial system and concepts of court administration. Five issues of the *Public Relations Digest*— compilations of articles about the court system published by the Georgia press— were compiled and distributed to members of the Judicial Council. The *Digests* serve as a means to gauge public opinion concerning the activities of the judiciary. Also during the year, fifty-six news releases of general and special interest were issued by the AOC to announce Judicial Council activities, judicial personnel changes and court improvements.

In addition to the aforementioned communications services, the AOC released the *Eighth Annual Report of the Administrative Office of the Courts* in April, 1982, and coordinated a total of 131 printing projects on its own and in conjunction with other judicial agencies.

FY 1982 Publications

Alert Bulletin of Current Citations (four issues)
Case Time Sequence Study
Eighth Annual Report of the Administrative Office of the Courts
Georgia Courts Journal (eleven issues and index to Vol. VIII)
Judicial Legislative Log (nine issues)
1981 Georgia Courts Directory
1982 Georgia Courts Plan
Ninth Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia
Public Relations Digest (four issues)
Salary Survey of Georgia's Trial Court Personnel, 1981

Research and Court Services

A major responsibility of the Administrative Office of the Courts continues to be the gathering of statistical, financial and other information on the judicial work of the courts and their associated offices. The results of such data collection often help to identify current and anticipated needs of the court system and provide an objective basis for recommendations for improvements, as well as forming a framework from which to provide specialized services upon request from individual courts. The research and court services staff utilizes this data in performing activities in the areas of research, information systems, records and technical assistance and publishes studies and specialized manuals for use by court personnel.

Research

Each year, the primary research effort of the Administrative Office of the Courts has been the compilation and analysis of caseload data collected from the four major trials courts in Georgia. The caseload study extends through a major portion of the year, with the final evaluation of the data serving as the basis for recommendations made by the Judicial Council to the Georgia General Assembly regarding the need for additional superior court judgeships in circuits exhibiting excessive caseload burdens. In addition, the results contribute to planning efforts by other government agencies and may assist local officials in court management activities.

Under the guidance of the Judicial Council's Case Definition Committee, the AOC refines the case-counting methodology each year and conducts a seminar for personnel participating in the data collection effort to review procedures, techniques and case definitions. Personnel who performed the actual case-count during the past year include district administrative assistants and their staffs, part-time and temporary assistants contracted with state funds provided by the AOC and members of the AOC research staff. The Administrative Office of the Courts supervises the data collection to ensure accuracy and strict adherence to the designated methodology.

Upon completion of the physical collection of data, the caseload statistics were stored in the computer housed at the Administrative Office of the Courts. Following the generation of circuit, district and statewide caseload reports, the data was analyzed according to two weighted caseload systems—the Delphi and the ratio methods—to determine the amount of time actually required to process cases in the respective circuits (judicial workload). The results of the caseload analysis were published as the *Ninth Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia*. Fiscal year 1982 caseload statistics obtained from the latest study are presented by court beginning on page 9.

In addition to the judgeship study, the AOC uses the caseload statistics to perform special studies and in-house projects. Impact studies were conducted in response to requests from judges concerning the proposed creation of the Blue Ridge and Rockdale judicial circuits. The caseload data was also analyzed in light of two ongoing studies of caseload trends in all courts and open caseload in the superior courts. Reports on the two studies were in process at the end of the year.

During the past year, the AOC completed a study undertaken to obtain information concerning the time required to dispose of different types of cases in the state's superior courts. The Judicial Council had directed the AOC to conduct the study because of the lack of statewide information available on average case processing times. Although the scope of the study was restricted due to the limitations of available time and data, a research design which may be utilized by other courts to evaluate causes of case processing delay was developed. In measuring the statewide average processing times of felony, general civil and domestic relations cases, the *Case Time Sequence Study* showed that the average time taken to dispose of felonies and domestic relations cases generally met nationally established standards.

Since 1973, the Administrative Office of the Courts has conducted a study of salaries of persons employed in the judicial system for purposes of comparison and budget planning and management. During the past year, the AOC prepared and published the *Salary Survey of Georgia Trial Courts: 1981* which presented the results of the annual compensation survey of judges and other court personnel. The information was collected through written surveys distributed to seventeen groups,

and a telephone survey followed up on non-respondents. A total of 731 individuals in office on July 1, 1981, were contacted in regard to the study.

Under the direction of the Judicial Council's Traffic Court Committee, the AOC initiated several projects to collect information on various traffic court procedures. A written survey was distributed to collect data on bonds and fines in traffic courts to compare local practices around the state. Research was completed and a staff paper was drafted concerning uniform sentencing power for all municipal, recorder's and police courts. Additionally, the AOC undertook a study of the effectiveness of the Non-Resident Violator Compact, which has been in operation for two years, on courts serving counties located along interstate highways. Following completion of a 1981 update to the *Georgia Traffic Court Manual*, the AOC reprinted the manual and distributed copies to traffic court judges throughout the state.

At the request of the chairman of the Judicial Council's Case Definition Committee, the AOC completed research analyzing the feasibility of implementing a case-by-case reporting system in Georgia. A survey of other states' caseload statistics reporting systems was undertaken to determine the procedures and effectiveness associated with case-by-case and duplicate docket reporting methods in light of the existing records practices currently employed in the state. The AOC developed alternate plans to implement either a pilot program utilizing a case-by-case system or possible procedures involved with an actual conversion of the present system, as well as cost projections concerning anticipated changes.

As required by a 1982 act mandating the establishment of salaries for judges of courts of limited jurisdiction, the AOC designed and distributed forms for reporting financial information on such courts. A preliminary form was developed to be used by judges to report receipts and disbursements of fees collected during 1981 for the purpose of providing county officials with information regarding previous and expected collections and disbursements of monies. A second form was designed as a monthly accounting record of fees charged and collected to be used by those judges whose salaries are administered from a special fund designated by the Courts of Limited Jurisdiction Compensation Act of 1982.

Other activities performed by the AOC during the past year include those in the area of jury management. The Administrative Office of the Courts conducted research on changes in statutory and case law relating to juries and revised the *Jury Commissioners Handbook* to reflect the changes. The *Handbook* was also reprinted in its entirety. The AOC also prepared a 1980 census data file to aid jury commissioners and distributed the census information to superior court clerks. A computer-formatted table displaying the age, race and sex of each county's population and the percent of each in the population was distributed to assist jury commissioners in developing a jury pool representative of the total population.

In addition to its major projects, the research staff of the AOC responded to numerous requests for caseload and salary data, court-related legislation information, budget data, legal and court organization information and other data on file at the AOC. At the close of the year, an in-depth study of *in forma pauperis* civil procedures was near completion.

Information Processing

The Administrative Office of the Courts continued to cooperate with the Council of Juvenile Court Judges in operating the Council's computer to process caseload data, produce statistical reports, update mailing addresses and maintain records. Following the collection of data for the statewide caseload study, reports on judicial workload in Georgia's superior, state, probate and juvenile courts were generated. The reports summarized filings, dispositions and average caseloads per judge by court, circuit, district and statewide totals. Thirteen types of juvenile statistical reports were processed for 30 counties as part of the Statewide Juvenile Information System. In addition, the AOC updated and maintained a mailing label and address system which contained almost 5,300 mailing label records. More than 120,000 labels were produced for judicial branch agencies and other groups.

In cooperation with three other judicial agencies, the AOC processed information to assist in maintaining records. The AOC kept an identification card and renewal form system for the Board of Court Reporting, processed caseload reports for the Superior Courts Sentence Review Panel and produced a directory of certified justices of the peace and small claims court judges for the Georgia Justice Courts Training Council.

Records

During FY '82, the Administrative Office of the Courts continued its work in the records management area by developing or approving retention schedules for different types of court records, both on a statewide basis and in response to requests from local courts.

Research conducted by the AOC resulted in the establishment under Georgia law by the State Records Committee and the AOC of statewide retention schedules for federal tax liens (discharged) and federal tax lien indexes. In addition, four kinds of schedules for state court civil records were completed and submitted for approval. Retention and disposition procedures and time periods were devised for civil dockets, indexes, case files (open and closed) and, alternatively, closed case files only. The State Records Committee acted on 142 court applications to establish local retention schedules. The schedule applications, previously developed by the AOC, originated in seven types of courts, including the Supreme Court, superior courts, state courts, probate courts juvenile courts, magistrate courts and city courts.

Court Services

The AOC provides technical services to individual courts upon request when resources permit such assistance. In the past year, the AOC consulted with the State Court of Sumter County and the superior court in Laurens County.

In Sumter County, the AOC assisted the clerk of the superior and state courts in revising traffic records procedures in state court to streamline case processing and reduce delay. There, the issuing of warrants and accusations on traffic citations was discontinued in favor of simpler procedures associated with the formal implementation of the uniform traffic citation as citation, summons and accusation. In Laurens County, the AOC assisted in the revision of the superior court's automated jury selection process by consulting with local officials in changing certain software already in use and developing procedures specified in the court order implementing jury selection procedures.

Board of Court Reporting

Created in 1974 through the legislative enactment of the Georgia Court Reporting Act, the Board of Court Reporting continues to discharge its responsibility to insure minimum proficiency in the practice of court reporting. During the past year, the Board worked to improve its examination procedure for certifying court reporters and undertook additional projects in its attempts to upgrade the profession of court reporting in the state.

The Board's major activity of the year was the testing and implementation of taped dictation used in its certification examinations in order to guarantee consistent quality in the testing sessions. The Board also experimented with a variety of recording equipment to find the most suitable recorder for the examination procedure. Following the administration of two exams, the Board voted to commit itself to taped dictation and to professionally record the dictation tapes.

The Board conducted its two examinations in the past fiscal year in Atlanta on September 25-26, 1981, and on March 25-27, 1982. Of the 159 persons tested, 58 persons passed the "B" test, and four persons successfully completed the "A" test. Reporters must pass the "B" test, which involves dictation, transcription and a written exam, to become certified. The "A" test is given by the Board to provide certified reporters an opportunity to upgrade their professional status.

On June 30, 1982, there were 653 court reporters certified to practice in Georgia, including approximately 51 reporters authorized to work under temporary permits. Although the Board had issued 73 temporary permits during the year, 13 were revoked for failure to pass the certification test in two testing periods, 13 were revoked for failure to attend the test and two were revoked for withdrawn sponsorships. Rules of the Board permit a sponsor (certified reporter) to withdraw, thereby requiring the permit holder to locate a new sponsor within ten days. The Board revokes the permit after the ten-day period.

In FY '82, three formal complaints were filed against court reporters in the state. The Board dismissed one complaint. The other two complaints were filed against one court reporter, and the Board held a hearing that resulted in a two-year suspension of the reporter's certificate.

The Board suspended 29 certificates for non-renewal following the April 1 deadline by which court reporters must renew their certificates by the payment of a $25 certification fee. Two reporters were later reinstated. The Board also instituted a pro-rated certification fee for persons eligible for certification as a result of the successful completion of the September examination. The fee was pro-rated to $12.50 to cover the six months until the April renewal date, when the annual fee is payable.

In a study of court reporter's compensation, the Board's fee schedule committee surveyed salaries and payment schedules of official court reporters during the year and obtained additional salary information from surrounding states. This information was made available to a Judicial Council subcommittee handling a request from the Georgia Certified Court Reporters Association (GCCRA) for a transcript page rate increase for official reporters. At the request of this subcommittee, the Administrative Office of the Courts conducted a further study of court reporters' compensation.

Following a review of the compensation data, the Judicial Council approved a per page fee increase of ten cents for the payment of official transcripts. Effective July 1, 1982, the increase resulted in a new per page rate of $1.75. The per page rate for copies was not affected by the Council's action.

In other related matters, the Judicial Council ruled that a defendant is responsible for payment of the transcript costs for appeals in non-indigent felony cases at the rate of $1.65 for the original and two copies and requested an Attorney General's opinion to determine whether a non-participating party is entitled to a copy of the transcript of a preliminary hearing. The Council subsequently adopted as a rule the Attorney General's holding, which authorizes a non-participating party to obtain a copy of the transcript (by paying part of the cost) unless a specific ruling to the contrary is made by the judge.

Board of Court Reporting

Pat Moran
Chairperson
Official court reporter
Atlanta

Frank W. Seiler
Vice chairperson
Attorney
Savannah

Robert L. Doss, Jr.
Secretary
Director, Administrative Office of the Courts
Atlanta

J. Dan Black
Official court reporter
Morrow

Billie J. Bowden
Official court reporter
Americus

Judge W.G. Elliott
Superior Courts
Southern Judicial Circuit
Valdosta

Kirk M. McAlpin
Attorney
Atlanta

Janet G. Wilkinson
Official court reporter
Eatonton

Leslie E. Johnson
Clerk
Atlanta

Near the end of the fiscal year, the Judicial Council approved a petition submitted by the Board to stagger the terms of members of the Board beginning July 1, 1982. The Council implemented the request since the Board members' concurrent terms sometimes resulted in the appointment of several new members at one time, causing an interruption of ongoing projects. The system utilizing staggered terms will begin when half the members appointed on July 1 resign after one year's service, and their replacements are appointed to two-year terms.

Among its other activities, the Board made tenative changes to its rules and regulations regarding procedures involved in the filing of formal complaints. In addition, the Board continued to provide support to the Georgia Certified Court Reporters Association (GCCRA) by assisting with GCCRA's directory of certified court reporters and providing information to the organization during the 1982 session of the Georgia General Assembly. The Board also continued to operate its referral service for reporters looking for placement in the court system or in the freelance area.

Georgia Certified Court Reporters Association

The Georgia Certified Court Reporters Association was created by rule of the Board of Court Reporting to provide for the communication of ideas among the state's certified reporters and to establish a professional development organization for its members. Composed of all certified court reporters in Georgia, the association elects officers each year to plan and implement its educational seminars and works through its committees to recommend solutions to problems encountered by working reporters. GCCRA is assisted administratively by the clerk of the Board of Court Reporting.

During fiscal year 1982, GCCRA sponsored two seminars which focused primarily on the business aspect of the court reporting profession.

Additionally, GCCRA established a district representative program to promote communication and participation of court reporters on a regional basis. The program makes each district representative responsible for contacting the reporters in his or her respective area to discuss questions concerning pending legislation or other matters of mutual concern.

Georgia Certified Court Reporters Association

Stanley Brown
Chairman
Gainesville

Rose Thomas
Secretary-Treasurer
Warner Robins

Lounell B. Day
Member at large
Tifton

Elaine Farr
Member at large
Griffin

Vivian G. Trabue
Member at large
Douglasville

Institute of Continuing Judicial Education of Georgia

In fulfilling its responsibility to provide a comprehensive program of educational development for judicial branch personnel, the Institute of Continuing Judicial Education formally extended its role in 1982 to include the training of administrative and specialized support professionals. Although the Institute had sponsored numerous training seminars for court support personnel in the past, a change in bylaws formalized the Board of Trustees' commitment to continue as the primary training organization for individuals employed under the judicial branch. During the year, the Institute coordinated professional development seminars for six specific groups of judges and four groups of non-judicial personnel. The number of programs decreased from those conducted the previous year due to insufficient funds.

Nineteen programs of continuing education and development were attended by 1,681 judges and other court personnel. In planning its seminars, the Institute cooperated with several agencies, including the Administrative Office of the Courts, the Council of Juvenile Court Judges, the Council of Superior Court Judges, the Georgia Association of Independent Juvenile Courts, the Georgia Justice Courts Training Council, the Probate Court Judges Association, the State Trial Judges and Solicitors Association and the Superior Court Clerks Training Council.

While the Institute's primary focus is the development, implementation and evaluation of the judiciary's in-state training curriculum, it also provides limited financial support for judges and court personnel to attend selected out-of-state training programs. During fiscal year 1982, the Institute helped sponsor 53 persons who attended out-of-state seminars and programs held in-state by nationally recognized judicial education agencies. Institute funds were used to support this training for twenty superior court judges, six state court judges, six juvenile court judges, two probate court judges, one recorder's court judge, two clerks of court, four court administrators and twelve other court personnel.

For the second year, the Institute conducted certification training for justices of the peace and small claims court judges with justice of the peace jurisdiction. The programs, sponsored under a contract between the Institute of Continuing Judicial Education and the Georgia Justice Courts Training Council, were attended by more than 450 judges.

Located at the University of Georgia School of Law, the Institute receives operating funds from two major sources. The law school provides office facilities for the staff, as well as a share of the personnel costs incurred. State appropriations fund other operating costs, including expenses of seminar participants and instructors.

During the past year, the Institute also expended funds remaining from an LEAA grant awarded in 1980 ($21,417) and $40,634 from the Governor's Emergency Fund. In addition, the institute utilized $10,000 (appropriated yearly by the General Assembly in the superior courts budget) for the out-of-state training of superior court judges with less than five years experience on the bench.

The Institute is governed by a board of trustees which is comprised of thirteen members representing client groups of courts and judicial organizations in the state. The members include: one member of the Court of Appeals; two members of the Council of Superior Court Judges; one member each of the Association of State Court Judges, the Council of Juvenile Court Judges, the Probate Court Judges Association, the State Bar of Georgia and the Judicial Council of Georgia; and five ex officio members, including the immediate past chairmen of the Institute's Board of Trustees and the Board of Trustees of the Institute of Continuing Legal Education and the deans of the law schools of Emory University, Mercer University and the University of Georgia.

Institute of Continuing Judicial Education-Board of Trustees

Judge Willis B. Hunt, Jr.
Chairman
Superior Court
Houston Judicial Circuit
Perry

Dean J. Ralph Beaird
Vice chairman
University of Georgia School of Law
Athens

Judge Floyd E. Propst
Secretary-Treasurer
Probate Court of Fulton County
Atlanta

Judge A.W. Birdsong, Jr.
Court of Appeals of Georgia
Atlanta

A.G. Cleveland, Jr.
Attorney
Atlanta

Kirk M. McAlpin
Immediate Past Chairman
Institute of Continuing Legal Education
Atlanta

Institute of Continuing Judicial Education-Board of Trustees

Judge C. Cloud Morgan
Superior Courts
Macon Judicial Circuit
Macon

Dean Thomas Morgan
Emory University School of Law
Atlanta

Judge Rex R. Ruff
Juvenile Court of Cobb County
Marietta

Judge H. Jack Short
State Court of Colquitt County
Moultrie

Dean Karl P. Warden
Mercer University School of Law
Macon[1]

Judge Andrew J. Whalen, Jr.
Superior Courts
Griffin Judicial Circuit
Griffin

Jerome Braun
Executive director
Athens[2]

[1]Acting Dean Glen W. Clark preceded Dean Warden on the Board.

[2]Richard Reaves replaced Mr. Braun as executive director of ICJE in October, 1982.

Seminars Sponsored by the Institute of Continuing Judicial Education July 1, 1981—June 30, 1982

Seminar	Location	Date	Attendance
Summer Seminar for Superior Court Judges	Savannah	July 27-29, 1981	91
Independent Juvenile Probation Officers	Augusta	September 16-18, 1981	99
Justice of the Peace Annual 20-Hour Recertification Program	Athens	September 21-23, 1981	79
20th Annual Workshop for Georgia Juvenile Court Judges	Callaway Gardens	October 14-16, 1981	41
19th Annual Seminar for Georgia Superior Court Judges	Athens	October 28-30, 1981	94
Fall Seminar for Georgia Probate Court Judges	Savannah	November 10-12, 1981	81
Fall Seminar for Clerks of Superior Court	Savannah	November 10-12, 1981	80
Justice of the Peace Annual 20-Hour Recertification Program	Athens	January 11-13, 1982	140
1982 Georgia Traffic Institute	Atlanta	February 18-19, 1982	85
Justice of the Peace Annual 20-Hour Recertification Program	Athens	March 8-10, 1982	179
1982 Annual Seminar for State Court Judges	Atlanta	March 18-19, 1982	29
1982 Judicial Orientation	Atlanta	March 25-26, 1982	15
19th Institute for Clerks of Superior Court	Athens	March 29-31, 1982	182
26th Institute for Georgia Probate Court Judges	Athens	April 21-23, 1982	139
Annual Seminar for Court Administrators	Clayton	April 29-30, 1982	31
Independent Juvenile Probation Officers	Macon	May 5-7, 1982	88
Annual Spring Seminar for Georgia Juvenile Court Judges	Savannah	May 19-21, 1982	81
Justice of the Peace 40-Hour Certification Program	Athens	May 31-June 4, 1982	72
Annual Seminar for Secretaries of Superior Court Judges	Atlanta	June 25-26, 1982	80

Other Judicial Agencies

The 1982 activities of five other judicial agencies are reviewed in the following pages of this report. These agencies—the Advisory Council for Probation, Judicial Administrative Districts, Judicial Nominating Commission, Judicial Qualifications Commission and the Superior Courts Sentence Review Panel—have been created either by legislative act or by order of the governor to carry out specific responsibilities within the judicial system.

Advisory Council for Probation

Fiscal year 1982 was the second full year of operation for the Advisory Council for Probation, which was established by the 1980 General Assembly to conduct studies and surveys and to make recommendations to the Department of Offender Rehabilitation for improvements in statewide probation.

State funds available to the Advisory Council for operations during the past year amounted to $63,078, an increase of 29 percent over the Council's FY '81 appropriation of $48,919. Although the legislature did not fund the Council for fiscal year 1983 (July 1, 1982-June 30, 1983), its statutory responsibilities remained in effect. Council members continued to receive reimbursement for travel associated with their meetings through funds appropriated for operations of the superior courts. However, the lack of funding for FY '83 resulted in the cancellation of the Council's program of research and development concerning its probation studies.

Two studies initiated by the Council were brought to substantial completion by the end of the fiscal year. The first was the development of a low-cost, computerized psychometric analysis of the personality of convicted offenders. The Council found that by comparing the personality profiles of an offender with his behavioral history, the prediction of future behavior patterns based upon those profiles could be roughly assessed. By comparing the personality profiles both before and after an effort to rehabilitate an offender, the effectiveness of the rehabilitation effort could be evaluated. The Council concluded that such 'auditing' of criminal personalities should be responsible to a community's sentencing authority.

Another study endorsed by the Council was the use of mechanical, psychological and laboratory tests to detect and deter drug abuse among probationers. The Council developed twelve special conditions of probation against which probationers' behavior can be measured to determine non-compliance, violation of which may lead to revocation of the individual's probation. Six of the conditions are general requirements which compel a probationer to submit to tests for the presence of controlled substances, to personal and property searches without warrant and to tests concerning inquiries relative to compliance with the terms of his probation. The remaining conditions, which must be specifically ordered by the sentencing court, related to socialization programs, first offender sentencing, confinement and prohibitions against alcoholic beverages and driving a motor vehicle.

In determining that an effective, aggressive use of the probation authority over an identified offender could significantly reduce crime, delinquency and drug abuse in Georgia's communities, the Council has cooperated with certain local criminal justice officials to conduct a special study in one area of the state. Preliminary results led the Council to conclude that community crime could be reduced by such a use of probation authority by the courts against other types of crime.

Advisory Council for Probation

Judge Asa D. Kelley, Jr.
Chairman
Superior Court
Dougherty Judicial Circuit
Albany

Judge George E. Oliver
Vice chairman
Superior Court
Eastern Judicial Circuit
Savannah

Judge Luther Alverson
Superior Court
Atlanta Judicial Circuit
Atlanta

Judge Joseph B. Duke
Superior Courts
Ocmulgee Judicial Circuit
Milledgeville

Judge William F. Grant
Superior Courts
Northern Judicial Circuit
Elberton

Judge Walker P. Johnson, Jr.
Superior Courts
Macon Judicial Circuit
Macon

Judge A.R. Kenyon
Superior Courts
Northeastern Judicial Circuit
Gainesville

Judge Marvin A. Miller
Superior Court
Clayton Judicial Circuit
Jonesboro

Judge Robert J. Noland
Superior Courts
Tallapoosa Judicial Circuit
Douglasville

Judge Clarence L. Peeler, Jr.
Superior Courts
Stone Mountain Judicial Circuit
Decatur

Judicial Administrative Districts

The Judicial Administration Act of 1976 provides for the creation of ten judicial administrative districts for the State of Georgia. The districts encompass the U.S. Congressional Districts as much as superior court circuit boundaries allow. In each district an Administrative Judge, selected by the superior court judges, supervises and directs the activities of a full-time administrative assistant.

During fiscal year 1982 the district staffs functioned as the liaison between the courts of the district and the various components of the state court system, including advising the courts of the technical assistance and expertise available through other governmental agencies. Under the general direction of the Administrative Judges the administrative assistants provided administrative, managerial and technical support to the superior courts. Under the policy guidance of the Administrative Judges, the district staffs provided assistance to other local trial courts and to judicial support agencies.

The duties of the administrative assistants included the collection and evaluation of data relevant to the operation of the trial courts for the purpose of court management, for the preparation of grant applications and evaluations and for the statewide research efforts coordinated with other court-related agencies. Administrative support was provided to the Administrative Judges in the authorization and assignment of judges within the districts and in securing judges to serve at the request of other judges pursuant to law.

In addition to the services provided in every district, each administrative assistant undertook specific projects which reflected district needs and goals as identified by the Administrative Judge and/or District Council. Upon request the district administrative assistants aided judges and other judicial personnel in the preparation, presentation and management of local court budgets. In some districts the staff also aided circuits in the development of personnel policies and procedures for local court systems. Administrative assistants assisted judges and clerks in local jury management projects and coordinated with other court-related agencies any jury management services provided to the local courts by that agency and/or the district. The district administrative assistants also serve as a records management resource in the development of programs and in the coordination of services.

Many district staffs assisted local trial courts, bar associations and governmental units in the establishment, funding and administration of indigent defense programs under the Georgia Indigent Defense Act and existing laws, including service on local tripartite committees. Some district officers assisted in budget preparation and maintenance, including service as fiscal officer and purchasing agent. Some administrative assistants provided consultative assistance to local trial courts in space and facilities management and assisted judges in the management of court reporters. The administrative assistants were also assigned other special duties and activities by the Administrative Judges and/or District Councils.

State funds available in fiscal year 1982 for the operations of the judicial administrative districts totaled $496,630. This included a supplemental appropriation to fund the fourth judicial district. For the first time since the inception of the program, state funds were available to staff all ten districts.

Judicial Administrative District Personnel: June 30, 1982

DISTRICT ONE: Atlantic, Brunswick, Eastern, Ogeechee and Waycross judicial circuits (twenty-two counties)
Headquarters: Savannah
Administrative Judge: Senior Judge Dunbar Harrison
Administrative Assistant: Position vacant[1]

DISTRICT TWO: Alapaha, Dougherty, Pataula, South Georgia, Southern and Tifton judicial circuits (twenty-seven counties)
Headquarters: Valdosta
Administrative Judge: Judge Asa D. Kelley, Jr.
Administrative Assistant: Roger E. Douglas

DISTRICT THREE: Chattahoochee, Houston, Macon and Southwestern judicial circuits (sixteen counties)
Headquarters: Macon
Administrative Judge: Senior Judge Hal Bell
Administrative Assistant: David L. Ratley

DISTRICT FOUR: Stone Mountain Judicial Circuit (two counties)
Headquarters: Decatur
Administrative Judge: Judge Richard Bell
Administrative Assistant: Position vacant

DISTRICT FIVE: Atlanta Judicial Circuit (one county)
Headquarters: Atlanta
Administrative Judge: Judge Luther Alverson[2]
Administrative Assistant: Ronald E. Owens

DISTRICT SIX: Clayton, Coweta, Flint and Griffin judicial circuits (fourteen counties)
Headquarters: Griffin
Administrative Judge: Judge Andrew J. Whalen, Jr.
Administrative Assistant: Fred R. Roney

DISTRICT SEVEN: Cherokee, Cobb, Lookout Mountain, Rome and Tallapoosa judicial circuits (twelve counties)
Headquarters: Cartersville
Administrative Judge: Judge Robert L. Royal
Administrative Assistant: William L. Martin, III

DISTRICT EIGHT: Cordele, Dublin, Middle, Ocmulgee and Oconee judicial circuits (seventeen counties)
Headquarters: Lyons
Administrative Judge: Judge Walter C. McMillan, Jr.
Administrative Assistant: Jack L. Bean

DISTRICT NINE: Blue Ridge, Conasauga, Gwinnett, Mountain and Northeastern judicial circuits (seventeen counties)
Headquarters: Canton
Administrative Judge: Judge Homer M. Stark
Administrative Assistant: John T. Shope

DISTRICT TEN: Alcovy, Augusta, Northern, Piedmont, Toombs and Western judicial circuits (twenty-one counties)
Headquarters: Augusta
Administrative Judge: Judge William M. Fleming, Jr.
Administrative Assistant: L. Tom Gunnels

[1]This position was held by Michael S. deVegter until January, 1982.
[2]Judge Osgood O. Williams replaced Judge Alverson on July 1, 1982.

Georgia Judicial Administrative Districts

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Judicial Nominating Commission

The Judicial Nominating Commission was originally created in 1973 by executive order of former Governor Jimmy Carter to formalize the judicial selection process in Georgia. Preceded until then by the Governor's Commission on Appellate Judicial Selection, the Commission assists the governor in appointing well-qualified persons to judicial office by soliciting nominations for vacancies and evaluating the nominees according to their qualifications and abilities.

Before any candidate for judicial office is considered for appointment, certain qualifications must be fulfilled. While the qualifications for different judicial positions vary, most candidates must meet a residency and age requirement, as well as exhibiting active membership in the State Bar of Georgia. Judges of the appellate and superior courts must be at least thirty years of age, be a citizen of the state for three years prior to appointment and have practiced law in Georgia for seven years. A state court judge nominee must be an active member of the State Bar for three years prior to taking office. Qualifications for other judicial positions are specific in the various statutes which created the respective courts.

While the nominating process is often undertaken to fill judicial vacancies, it may also be followed to appoint persons to newly created judgeships. After the Commission solicits nominations, evaluations of each candidate are made based on a questionnaire concerning his or her qualifications and a legal article or brief which the candidate has prepared. The Commission then investigates all nominees by interviewing their associates and by interviewing the candidates personally.

Ten members serve on the Judicial Nominating Commission, five of whom are citizen members appointed to serve a term concurrent with that of the governor. The other five members are or have been elected officers of the State Bar, including the president, the two successive past presidents, the president-elect and the president of the Younger Lawyers Section. During the past year, only four of the five citizen member positions were filled.

In fiscal year 1982, the Commission met eleven times to consider nominations for eleven judicial positions. Nominations were submitted to the Governor for one newly created superior court judgeship, one vacancy each in the Supreme Court and a municipal court, four superior court vacancies and four state court vacancies.

Since its creation, the Commission has acted on a total of 108 judgeships. The following list provides a breakdown by court of this total:

— 9 Supreme Court vacancies
— 9 Court of Appeals vacancies
— 70 superior court judicial positions
— 18 state court judicial positions
— 2 municipal court judgeships.

Judicial Nominating Commission

A.G. (Gus) Cleveland, Jr.
Chairman
Atlanta

Mrs. Odone B. Hill
Hawkinsville

Ralph O. Walton
Hamilton

Henry Wisebram
Barnesville

Ex officio members
(Until June, 1982 meeting of the State Bar of Georgia)

J. Douglas Stewart
President
State Bar of Georgia
Gainesville

Frank Love, Jr.
President-elect
State Bar of Georgia
Atlanta

Bob Reinhardt
Immediate Past President
State Bar of Georgia
Tifton

Kirk M. McAlpin
Past President
State Bar of Georgia
Atlanta

W. Terence Walsh
Immediate Past President
Younger Lawyers Section
State Bar of Georgia
Atlanta

Ex officio members
(From June, 1982 meeting of the State Bar to the present)

Frank Love, Jr.
President
State Bar of Georgia
Atlanta

Richard Y. Bradley
President-elect
State Bar of Georgia
Columbus

J. Douglas Stewart
Immediate Past President
State Bar of Georgia
Gainesville

Bob Reinhardt
Past President
State Bar of Georgia
Tifton

Richard A. Childs
Immediate Past President
Younger Lawyers Section
State Bar of Georgia
Columbus

Judicial Qualifications Commission

Established in 1973 as a result of a constitutional amendment ratified by Georgia voters the previous year, the Judicial Qualifications Commission is responsible for conducting investigations and hearings concerning complaints of misconduct by judges and for issuing opinions in answer to inquiries regarding appropriate judicial conduct.

The Commission responds to complaints under its jurisdiction according to rules originally adopted—and later amended—by the Supreme Court of Georgia. After investigation of such a complaint, the Commission may follow one of two procedures for disposition. It may choose to hold a hearing on the matter itself, or the members may request the Supreme Court to appoint a special master to hear evidence and then report its findings to the Commission. If the Commission finds good cause after the hearing or following consideration of the report, it recommends to the Supreme Court the removal, discipline or retirement of that judge. The Supreme Court is vested with the authority to review all proceedings.

The reasons for which a judge may be disciplined or removed or retired from office include: 1) willful misconduct in office; 2) willful and persistent failure to perform duties; 3) habitual intemperance; 4) conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or 5) disability seriously interfering with the performance of duties, which is, or is likely to become of a permanent character.

The seven members of the Commission include two judges of courts of record, three members of the State Bar of Georgia and two citizen members. Authorization to fill a vacancy in membership lies in three different sources. The Supreme Court appoints successors in the case of a judge vacancy. The Board of Governors of the State Bar selects a replacement for an attorney vacancy, and the governor fills a vacancy when a citizen member discontinues his or her service. As specified in the rules of the Commission, no member other than a judge may hold public or judicial office, and no member is permitted to hold office in any political party or organization.

The Commission held eleven regular meetings and four formal hearings during fiscal year 1982. Twenty-one cases were pending from FY '81, and 87 new cases were received during the year. Twenty cases remained pending on June 30, 1982. Of the cases disposed, 56 complaints were dismissed as having no basis for disciplinary action or by citing the Code of Judicial Conduct. The Supreme Court issued one letter of admonition following one investigation and reprimanded one judge. Two judges were removed from office, one judge received a 60-day suspension from the court and seven judges responded to the investigatory action by resigning from office.

Also during the year, the Commission issued 17 informal opinions and two formal opinions. Synopses of the opinions rendered by the Commission are presented below.

Opinion 47: Justices of the peace may list their names and addresses in the Yellow Pages of the telephone directory under the heading "Justices of the Peace", but should not otherwise advertise in connection with such listing.

Opinion 48: A part-time juvenile court judge is not disqualified from representing a party in a divorce proceeding because a child abuse charge involving the child of one of the parties had previously been a subject or proceeding in juvenile court where the proceeding has been terminated by agreement and did not involve a custody dispute.

Judicial Qualifications Commission

H. Holcombe Perry, Jr.
Chairman
Attorney
Albany

Howard Ector
Vice chairman
Atlanta

Harry S. Baxter
Attorney
Atlanta

Judge Byron H. Mathews, Jr.*
State Court of Coweta County
Newnan

Judge Walter C. McMillan, Jr.
Superior Courts
Middle Judicial Circuit
Sandersville

Judge J. Taylor Phillips*
State Court of Bibb County
Macon

Mrs. Laura Dorsey Rains
Atlanta

Will Ed Smith
Attorney
Eastman

*Judge Phillips was appointed to the Commission effective February 16, 1982, to replace Judge Mathews who retired on December 31, 1981.

Superior Courts Sentence Review Panel

As provided by the Judge Sentencing Act of 1974 (Ga. Laws 1974, p. 352), the Superior Courts Sentence Review Panel is authorized to review sentences or consecutive sentences totaling five or more years that have been set and imposed by a judge of the superior court without a jury. Exceptions to the panel's review jurisdiction include cases in which the death penalty has been imposed. Additional exceptions— removed from the panel's jurisdiction effective July 1, 1982, by action of the Georgia legislature— include sentences set in misdemeanor cases and cases in which a life sentence has been imposed for murder.

In reviewing sentences, the panel seeks to determine whether excessive harshness has been imposed by the trial judge. Consideration is given to the nature of the crime for which the defendant was convicted and to the defendant's prior criminal record.

The panel reviews sentences upon application of the defendant, who must file his or her request for review with the clerk of the superior court in which the sentence was imposed within 30 days of the date the sentence was rendered or after the remittitur from an appellate court affirming the conviction is made the judgment of the sentencing court, whichever occurs later. While it is empowered to reduce sentences, the panel may not increase sentences, reduce sentences to probation or suspend any sentence.

The Sentence Review Panel now meets in two simultaneous panels, each composed of three superior court judges. The panel members are appointed by the president of the Council of Superior Court Judges to three-month terms. A supernumerary member is also appointed for each term and is authorized to substitute for any member who cannot attend a meeting or who is disqualified.

Fiscal year 1982 was the second full year of operation of the Sentece Review Panel as two panels. The judges serving during the year reviewed 304 more cases than in the previous year. The panel reviewed over 700 more cases than in FY '79, when the panel last sat as a single panel for the entire year. The greater number of cases represented almost a 20% increase over the caseload in fiscal year 1981.

The cumulative reduction rate for cases reviewed since July 1, 1974, decreased from 7.29 to 7.20 percent. The panel has reviewed a total of 9,228 cases, affirming 8,690 and reducing 674.

Since the establishment of the Sentence Review Panel, 125 superior court judges have served as members. Thirty-three judges have been appointed to two terms, and 92 judges have each served one three-month term.

Superior Courts Sentence Review Panel Summary of Cases Reviewed

Cumulative reduction rate as of June 30, 1982: 7.2 percent

Fiscal Year 1982 Caseload

	Cases Affirmed	Cases Reduced
PANEL 29	512	5
PANEL 30	467	43
PANEL 31	414	34
PANEL 32	453	54

Five-Year Comparison of Cases Reviewed

Fiscal Year	Cases Affirmed	Cases Reduced	Percent of Cases Reduced
FY 1978	1,123	67	5.63
FY 1979	1,134	101	8.18
FY 1980	1,228	90	6.83
FY 1981	1,542	145	8.60
FY 1982	1,846	136	6.86

Administrative Board Sentence Review Panel

Judge Luther Alverson
Chairman
Atlanta Judicial Circuit
Atlanta

Judge James Barrow
Western Judicial Circuit
Athens

Judge Paul W. Painter
Lookout Mountain Judicial Circuit
Rossville

Superior Courts Sentence Review Panels

July 1, 1981—September 30, 1981

PANEL 29 (ONE)

Judge W. Colbert Hawkins
Chairman
Ogeechee Judicial Circuit
Sylvania

Judge Joseph C. Jackson
Coweta Judicial Circuit
LaGrange

Judge Thomas W. Ridgway
Alcovy Judicial Circuit
Monroe

PANEL 29 (TWO)

Judge John S. Langford
Chairman
Atlanta Judicial Circuit
Atlanta

Judge George A. Horkan, Jr.
Southern Judicial Circuit
Moultrie

Judge A.R. Kenyon
Northeastern Judicial Circuit
Gainesville

Judge Ben A. Hodges
Supernumerary for both panels
Waycross Judicial Circuit
Waycross

October 1, 1981—December 31, 1981

PANEL 30 (ONE)

Judge Luther Alverson
Chairman
Atlanta Judicial Circuit
Atlanta

Judge C. Cloud Morgan
Macon Judicial Circuit
Macon

Judge Robert Thomas Pope
Cherokee Judicial Circuit
Calhoun

PANEL 30 (TWO)

Judge James Barrow
Chairman
Western Judicial Circuit
Athens

Judge Sam P. McKenzie
Atlanta Judicial Circuit
Atlanta

Judge Osgood O. Williams
Atlanta Judicial Circuit
Atlanta

Judge Isaac Jenrette
Supernumerary for both panels
Atlanta Judicial Circuit
Atlanta

January 1, 1982—March 31, 1982

PANEL 31 (ONE)

Judge Albert Thompson
Chairman
Chattahoochee Judicial Circuit
Columbus

Judge Richard Bell
Stone Mountain Judicial Circuit
Decatur

Judge E. Purnell Davis, II
Toombs Judicial Circuit
Warrenton

PANEL 31 (TWO)

Judge Frank C. Mills, III
Chairman
Blue Ridge Judicial Circuit
Canton

Judge Dorothy A. Robinson
Cobb Judicial Circuit
Marietta

Judge Andrew J. Whalen, Jr.
Griffin Judicial Circuit
Griffin

Judge Gary B. Andrews
Supernumerary for both panels
Lookout Mountain Judicial Circuit
LaFayette

April 1, 1982—June 30, 1982

PANEL 32 (ONE)

Judge Clyde W. Henley
Chairman
Stone Mountain Judicial Circuit
Decatur

Judge Brooks E. Blitch, III
Alapaha Judicial Circuit
Homerville

Judge G. Mallon Faircloth
Cordele Judicial Circuit
Cordele

PANEL 32 (TWO)

Judge Greeley Ellis
Chairman
Alcovy Judicial Circuit
Covington

Judge Charles A. Pannell, Jr.
Conasauga Judicial Circuit
Dalton

Judge Robert G. Struble
Mountain Judicial Circuit
Toccoa

Judge Robert G. Walther
Supernumerary for both panels
Rome Judicial Circuit
Rome

Council of Juvenile Court Judges Annual Report

The Council of Juvenile Court Judges is composed of all judges of the courts exercising jurisdiction over juveniles. During fiscal year 1982 there were nine full-time juvenile court judges, thirty-eight part-time juvenile court judges, sixty-seven superior court judges who exercise juvenile court jurisdiction and twenty-five juvenile court referees. The primary concern of the Council is contributing to more effective administration and operation of the state's juvenile courts. The Council and its staff play an active role in gathering caseload data on the work of the courts, promoting continuing education for judges and court staff, implementing legislation affecting the juvenile courts and providing assistance for the improvement of court services. Major developments affecting the operation of the Council and the juvenile courts during fiscal year 1982 were implementation of the certification requirements of mandatory judicial education and enactment of Senate Bill 4 which passed in the 1982 Session of the General Assembly and establishes a method to create juvenile court judgeships of circuitwide authority.

Activities of the Council are carried out under the direction of the president of the Council who is elected annually from the membership. The president appoints other officers: vice-president, secretary and treasurer who along with the immediate past-president and president-elect make up the executive committee.

Continuing Education

The Council's Education and Certification Committee works with the professional staff of the Institute of Continuing Judicial Education to plan and coordinate semi-annual seminars for juvenile court judges and referees. Under the provisions of the Mandatory Training Act (O.C.G.A. § 15-11-4.1) which passed in the 1981 Session of the Georgia General Assembly and became effective January 1, 1982, any judge exercising juvenile court jurisdiction is required to attend at least one training seminar each year or lose juvenile court jurisdiction. The Council is charged with certifying that annual training has been accomplished by each judge who exercises juvenile court jurisdiction. Any judge who fails to gain certification will be prohibited from exercising juvenile court jurisdiction effective January 1, 1983, unless the individual is in the first year of his or her appointment to the bench.

The 1981 Fall Seminar for Juvenile Court Judges was held at Callaway Gardens, October 14-16; 29 juvenile court judges, 1 superior court judge and 5 juvenile court referees attended. Speakers included Dr. Joe Edwards, Commissioner of the Georgia Department of Human Resources; child psychologist, Dr. Richard Hark, and staff members of the National Council of Juvenile and Family Court Judges. The Savannah Hyatt Regency was the site of the spring educational seminar which took place May 19-21, 1982. The spring 1982 seminar was the first held since the mandatory training provision became effective, and judges attending the conference received certification. Attendance doubled that of the fall seminar with a total of 69 judges present. This number included 38 juvenile court judges, 18 superior court judges, 1 state court judge and 12 juvenile court referees. Topics covered included a panel discussion on juvenile law and procedure, speakers on the medical and psychological effects of child abuse and information on a national initiative focusing on the need for periodic judicial review in the cases of children who remain for long periods in foster care arrangements.

The joint training program for field staff of the juvenile courts is another continuing education effort in which the Council plays an active role. The program is sponsored jointly by the Council and the Division of Youth Services of the Department of Human Resources and is funded federally through the Georgia Department of Community Affairs. Training workshops for court service workers and staff of the independent juvenile courts are held at various sites across the state, and extensive use is made of employees in the system who can share information and innovations with other personnel. The program also provides reimbursement for the cost of training sponsored by other groups. The nine-member Board of Directors is composed of representatives from the Division of Youth Services staff, staff of the independent

Council of Juvenile Court Judges Executive Committee

Judge Martha K. Glaze
President
Juvenile Court of Clayton County
Jonesboro

Judge Edward D. Wheeler
Immediate Past President
Juvenile Court of DeKalb County
Decatur

Judge Othniel W. McGehee
President-elect
Juvenile Court of Bibb County
Macon

Judge Virgil Costley, Jr.
Vice president
Juvenile Court of Newton County
Covington

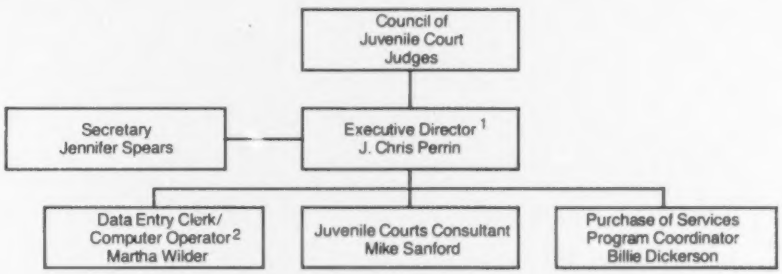
Judge Marvin W. Sorrells
Secretary
Juvenile Court of Walton County
Monroe

Judge David J. Turner, Jr.
Treasurer
Juvenile Court of Meriwether County
Manchester

J. Chris Perrin
Executive director
Atlanta

juvenile courts, juvenile court judges and a member of the Council staff. The joint training program, along with seven other juvenile justice projects, was nominated by the Georgia Department of Community Affairs to receive special recognition as a national exemplary program from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

Council of Juvenile Court Judges Organizational Chart: June 30, 1982



[1]One-half of this position is funded by the Administrative Office of the Courts.
[2]Two-thirds of this position is funded by the Administrative Office of the Courts.

Purchase of Services for Juvenile Offenders

The Council received a grant award of $388,000 during FY 1982 to continue operation of its purchase of services program. The program, which is in its third year, makes funds for development of community-based resources available to the state's juvenile courts. During the year ending October 31, 1982, 51 counties expended $297,000 in Council funds to provide services to some 1,550 children on probation to juvenile courts. Status offenders and delinquents who are within the court's jurisdiction but have not been committed to the Division of Youth Services are the target group for these funds.

Courts become eligible to receive purchase of services funds by entering into a contract with the Council. Funds are available on a reimbursement basis and can be expended in any of seven service areas: (1) education/upgrading basic skills, (2) counseling and diagnostic testing, (3) community work, (4) symbolic restitution, (5) temporary housing, (6) short-term placement, and (7) transportation. The juvenile court judge determines which children will be referred for services and which services are appropriate for the individual child. The Council's continued sponsorship of the Purchase of Services program demonstrates its belief in the importance of positive intervention at the local court level as a cost-effective alternative to state institutions and authorities.

The Purchase of Services program was nominated by the Georgia Department of Community Affairs to receive special recognition as a national exemplary project from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

Information System

Operation of its in-house computer system as a management tool for the state's juvenile courts remained a priority activity for the Council during fiscal year 1982. Eighty-seven of the state's 159 counties made use of standardized docket sheets developed by Council staff to maintain juvenile court records. Reports presenting detailed caseload information were produced for 41 participating counties. Judges of each of these counties received a set of more than ten descriptive statistical reports which revealed a profile of the court's clientele and caseflow. Reports for the remaining 46 counties will be available as sufficient data is collected and compiled.

Composite statewide reports were also generated based on data from all reporting counties. One-half of the 35,000 children against whom complaints were filed in all juvenile courts during fiscal year 1981 were included in reports generated by the Council. Statewide recidivism reports revealed that 70 percent of these approximately 18,000 children did not return to court during the same year on subsequent referrals. Other notable features from statewide juvenile information system reports were: 61% of total children filed were delinquent cases, 19% unruly, 11% deprived, 5% traffic and 4% special proceedings. Breakdown by age of children referred to all reporting juvenile courts during fiscal year 1981 was as follows: 51% were ages sixteen and over, 25% ages fourteen to fifteen, 8% ages eleven to thirteen and 15% under ten years of age.

During fiscal year 1982 the Council began laying the groundwork to bring DeKalb and Fulton counties' juvenile courts onto the statewide information system. Plans are being made to purchase additional computer hardware to enable clerks in these counties to enter docket information directly into the Council's computer. Two other metro area juvenile courts—Cobb and Clayton—already using the model docket system also plan to convert their operations to the on-line system. As participation in the statewide information system expands, the Council will be better able to provide accurate, up-to-date statistics on the work of the juvenile courts to judges, state legislators, the governor and other persons interested in the administration of the juvenile courts.

Legislation

Two bills of particular significance to the juvenile courts passed in the 1982 session of the General Assembly.

Senate Bill 4 (O.C.G.A. § 15-11-3) provides superior court judges the option of creating juvenile court judgeships of circuitwide authority. This bill becomes effective July 1, 1983, however, appropriations for state supplements to counties for salaries of circuitwide juvenile judgeships have not yet been obtained. The Council has requested the state appropriation needed to implement Senate Bill 4 as part of its FY 1984 budget request to the General Assembly.

House Bill 610 (O.C.G.A. § 15-11-37) expanded the designated felony act to include burglary if done by a juvenile thirteen or more years of age who has previously been adjudicated delinquent at separate court appearances. The bill also specifies mandatory use of restrictive custody and mandatory transfer to superior courts for certain juveniles with multiple adjudications for delinquent acts which would have constituted the crime of burglary if done by an adult.

Georgia Justice Courts Training Council Annual Report

Since 1978, the Georgia Justice Courts Training Council has operated to ensure the development and improvement of minimum training standards for justices of the peace by prescribing educational requirements for its continuing education program. The program has been conducted in compliance with the Georgia Justice Courts Training Council Act (Ga. Laws 1978, p. 894) which requires that justices of the peace become certified in order to charge and collect fees for performing their official duties. While recent legislation (Courts of Limited Jurisdiction Compensation Act, Ga. Laws 1982, p. 1737) adopted by the Georgia General Assembly provided that justices of the peace may no longer be compensated by fees, the requirement that justices of the peace complete the certification program has remained in effect.

Justices of the peace and small claims court judges who exercise the powers of a justice of the peace—with the exception of those judges who have practiced law for at least four years—must annually attend a certification course and successfully complete a written examination to achieve certified status. The Council conducts a 40-hour training seminar each year for newly elected or appointed justices of the peace, and 20-hour recertification courses are held for justices of the peace to fulfill the continuing education requirement and maintain their certified status. The 40-hour program provides general instruction in court operations and procedures and must be completed within one year of a judge's election or appointment to office. The 20-hour seminars provide specialized training in selected areas.

For the second year, the Council contracted with the Institute of Continuing Judicial Education to execute the certification program. The Administrative Office of the Courts assisted the Council through the provision of fiscal and administrative support and the maintenance of certification records.

The Institute sponsored one 40-hour certification course and three 20-hour recertification seminars in Athens during fiscal year 1982. Judges, attorneys, prosecutors, law professors and representatives of the state attorney general's office instructed the program participants in a variety of subject areas. Topics presented at the 40-hour seminar included judicial behavior, court operations, evidence, legal research and criminal and civil procedure. The 20-hour curriculum involved instruction on justice courts in relation to the Georgia criminal justice system and the attorney general's office, accounting for fees and special presentations on warrants and preliminary hearings.

The Council distributed copies of the Georgia Code Unannotated to new judges and copies of the 1981 Code Supplement to all judges who attended the training seminars. Judges attending the initial certification course were charged a $60 tuition fee to cover the cost of educational materials and to help defray speaker costs. The 20-hour attendees paid a $50 fee for their training and related expenses. Although justices of the peace and small claims court judges cannot apply to the Institute for reimbursement of travel expenses associated with the training program, the governing authorities of various counties have individually authorized reimbursement of some judges.

The Council approved certification for 387 justices of the peace and 77 small claims court judges during the year. Three judges failed to become certified. Sixty-one judges were certified for the first time following successful completion of the 40-hour course. The Council certified 403 judges who completed the 20-hour program.

Although the General Assembly approves a limited appropriation each year to fund the Council's certification program, the tuition fees collected from the program participants account for a major portion of the funding source for the training courses. In fiscal year 1982, the General Assembly appropriated $12,700 to the Council ($600 of which was approved as a supplemental appropriation in mid-year), while fees totaled $24,270. Almost 66 percent of new funds made available to the Council during the year came from these fees.

Georgia Justice Courts Training Council

Judge Nick J. Lazaros
Chairman
Justice of the Peace
Houston County
Warner Robins

Judge George W. Eisel, III
Vice chairman
Small Claims Court of Hancock County
Sparta

Judge Lois A. Bailey*
Justice of the Peace
Clayton County
College Park

Judge Leonard Danley
Justice of the Peace
Douglas County
Winston

Judge Eleanor Dotson
Justice of the Peace
Charlton County
Folkston

Judge J. Davis Roberts*
Justice of the Peace
Clayton County
Jonesboro

Robert L. Doss, Jr.
Ex officio secretary
Director, Administrative Office of the Courts
Atlanta

*Judge Roberts took office on March 12, 1982, to replace Judge Bailey who resigned on October 18, 1981.

Along with the state funds and fees accumulated during the year, $15,960 in fees collected in fiscal year 1981 was available to the Council. Total funds available totaled $52,930. Total expenditures were $43,127.

The Georgia Justice Courts Training Council is composed of five justices of the peace and the director of the Administrative Office of the Courts who serves as ex officio secretary. Since the Council's creation, the five members have included four justices of the peace and one small claims court judge. The Council members receive no compensation, but are reimbursed for expenses incurred in performing their official duties.

FY 1982 Certification Seminars

Date	Attendance	# Hours
September 21-23, 1981	79	20
January 11-13, 1982	140	20
March 8-10, 1982	180	20
May 31-June 4, 1982	72	40

Appendix: Judicial Personnel Changes

Judicial Personnel Changes

Appointments

Supreme Court of Georgia

Justice Charles L. Weltner for term 10/14/81 to 11/2/82.

Superior Courts

Atlanta Judicial Circuit
Judge Philip F. Etheridge for term 12/9/81 to 1/1/83.

Macon Judicial Circuit
Judge Thomas Day Wilcox for term 10/15/81 to 1/1/83.

Mountain Judicial Circuit
Judge Robert B. Struble for term 1/1/82 to 1/1/83.

Ocmulgee Judicial Circuit
Judge William A. Prior, Jr. for term 7/24/81 to 1/1/83.

Southwestern Judicial Circuit
Judge Thad W. Gibson for term 7/1/81 to 1/1/83.

Toombs Judicial Circuit
Judge E. Purnell Davis, II, for term 7/1/81 to 1/1/83.

Waycross Judicial Circuit
Judge Clarence D. Blount for term 7/1/81 to 1/1/83.

State Courts

Coffee County
Judge Sidney L. Cottingham for term 3/1/82 to 1/1/85.

Coweta County
Judge Nathan Gene Knight for term 1/14/82 to 1/1/85.

Early County
Judge Everett Tracy Moulton, Jr., for term 7/24/81 to 11/2/82.

Fulton County
Judge John J. Bruner for term 1/14/82 to 1/1/85.
Judge Don A. Langham for term 9/1/81 to 1/1/83.

Juvenile Courts

Coweta County
Judge Joseph P. MacNabb for six-year term beginning 1/1/82.

Floyd County
Judge Timothy Alan Pape for six-year term beginning 3/1/82.

Laurens County
Judge J. Stanley Smith for six-year term beginning 1/8/82.

Miller County
Judge Ronald H. Rentz for six-year term beginning 3/11/82.

Seminole County
Judge Julian Webb for six-year term beginning 6/24/82.

Special Courts

Magistrate's Court of Douglas County
Judge Steven J. Messinger for terms 6/1/82 to 12/31/82.

Municipal Court of Columbus (Muscogee County)
Judge William S. Cain, Jr. for term 7/23/81 to 11/2/82.

County Court of Putnam County
Judge Donald W. Huskins for term 2/3/82 to 1/1/83.

Small Claims Courts

Bryan County
Judge Pam C. Newman for term 11/10/81 to 5/3/85.

Burke County
Judge Edward B. Tenney for term 7/21/81 to 5/31/85.

Candler County
Judge Myra S. Fordham for term 5/7/82 to 8/17/85.

Franklin County
Judge George W. Wills, Jr., for term 3/31/82 to 3/31/86.

Meriwether County
Judge Robert Lee Todd for term 3/24/82 to 1/1/83.

Morgan County
Judge Lynne P. Brown for term 7/7/81 to 4/4/82.

Taliaferro County
Judge Emerson Chew for term 3/18/82 to 3/18/86.

Turner County
Judge Eugene P. Carswell for term 11/30/81 to 1/1/82.

Warren County
Judge Charles L. Harper for term 1/5/82 to 5/5/85.

Elections

Probate Courts

Barrow County
Judge Janet Tanner Cape elected for term 6/17/82 to 1/1/85.

Greene County
Judge Laverne C. Ogletree for term 5/20/82 to 1/1/85.

Henry County
Judge Del Buttrill for term 1/27/82 to 1/1/85.

Jones County
Judge J. Mike Greene for term 11/24/81 to 1/1/85.

Wilkinson County
Judge Hazel R. Green for term 5/20/82 to 1/1/85.

Analysis of Statewide Judicial Manpower (July 1, 1981 to June 30, 1982)

Court	Total Number Judgeships[1]	Judges Beginning First Terms: Method of Selection: Elected	Appointed	New Judgeship	Total	Judges Leaving the Bench: Reason for Leaving: Resigned	Retired	Died	Total[2]
Supreme Court	7	·	1	·	1	·	1	·	1
Court of Appeals	9	·	·	·	0	·	·	·	0
Superior Courts	122[3]	·	2	5	7	·	·	1	1
State Courts (Full & Part-Time)	77	·	5	·	5	2	2	·	4
Juvenile Courts (Full & Part-Time)	48	·	5	·	5	·	1	·	1
Probate Courts	159	5	·	·	5	5	·	·	5

[1]As of June 30, 1982.

[2]Total number of judges leaving the bench does not match total number of new judges in some instances because of new appointments or vacancies which existed at the end of the fiscal year.

[3]Although 122 superior court judgeships had been allocated by the end of the year, 116 had been filled.